

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
PLANNING CONFERENCE ROOM
SEPTEMBER 19, 2016, 4:45 P.M.
WORK SESSION AGENDA**

Staff will present the following items:

1. Recognition of former Commissioners, Tanya Mikeska-Reed, Will Sears and Blake Pitts for their dedicated service.
2. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Monday, September 19, 2016.
3. 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).
4. KTMPO road and trail project grant submittal update.
5. Elections for Chair and Vice-Chair.

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS, 2ND FLOOR
SEPTEMBER 19, 2016, 5:30 P.M.
REGULAR MEETING AGENDA**

1. _____ Invocation
2. _____ Pledge of Allegiance
3. _____ Elections for Chair and Vice-Chair

A. CONSENT ITEMS

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

Item 1: [Approval of Minutes](#): Work session and the regular meeting of September 6, 2016.

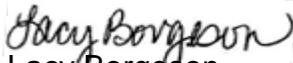
B. ACTION ITEMS

Item 2: [Z-FY-16-45](#) – Hold a public hearing to consider and recommend action on a Conditional Use Permit (CUP) to allow the sales of all alcoholic beverages with on-premise consumption, where the gross revenue from such sales is less than 50% of the total gross revenue of the establishment, on Lots 2 through 7, 10 & 11, Block 1 of the Highline Addition, subdivision, located generally at the northwest corner of Scott Blvd and South 31st Street.

- Item 3:** [Z-FY-16-46](#) - Hold a public hearing to discuss and recommend action on a Planned Development (PD) Zoning District to allow RV rentals at Lot 2, Block 1, Trantum Subdivision Phase VIII, 5806 South General Bruce Drive, that is currently zoned Commercial (C) District and currently located in the I-35 Overlay District.
- Item 4:** [P-FY-16-47](#) – Consider and take action on the Final Plat of Trusty Addition, a 3.356 +/- acres, 2-Lot, 1-Block, residential subdivision, situated in the Nancy Chance Survey, Abstract 5, Bell County, Texas, located in Temple's southwestern ETJ, east of Riverside Trail, west of Tem Bel Lane and addressed as 6319 Kiddieland Road.

SPECIAL ACCOMMODATIONS: Persons with disabilities who have special communication or accommodation needs and desire to attend the Planning Commission Meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date. Agendas are posted on Internet Website <http://www.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 4:00 pm on September 15, 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
SEPTEMBER 9, 2016
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT
Chair David Jones

COMMISSIONERS:

Jeremy Langley	Lydia Alaniz
Blake Pitts	Greg Rhoads
Will Sears	Omar Crisp

PLANNING AND ZONING MEMBERS ABSENT:

Patrick Johnson	Lester Fettig
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STAFF PRESENT:

Brian Chandler, Director of Planning
Trudi Dill, Deputy City Attorney
Lynn R. Barrett, Asst. Director of Planning
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, September 1, 2016 at 3:30 p.m. in compliance with the Open Meetings Law.

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

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

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

Chair Jones welcomed the new Assistant Director of Planning, Ms. Lynn R. Barrett.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of August 15, 2016.

Approved by general consent.

B. ACTION ITEMS

Item 2: Z-FY-16-43 – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) District to Single-Family Attached-Three (SFA-3), Multi-Family-

Two (MF-2), Neighborhood Service (NS) and General Retail (GR) districts on 42.066 +/- acres, Lot 1, Block 1, First Baptist-Temple West Campus, located at 8015 West Adams Avenue.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on October 6, 2016 and second reading October 20, 2016.

The applicant is proposing four separate zoning districts: General Retail (GR), Neighborhood Service (NS), SFR – Attached-Three (SFA-3), and Multi-Family (MF-2) for a proposed apartment complex. There are no proposed site or development plans available for the remaining three districts.

With the number of zoning districts proposed, enhanced buffering and screening considerations are very important due to the proximity to existing single family residences. Applicant has agreed to incorporate enhanced buffering and screening into their development and will be included in the sales contract and Deed Restrictions, which is also modeled after the Westfield Master Development Plan (Ordinance No. 2015-4717).

The enhanced buffering and screening standards are identified in the Comprehensive Plan, *Choices '08*, page 3-7, referred to as Dynamic Buffer Yard Modeling:

Increased Plant Density based on:

- Buffer yard width;
- Landscape Material Selection;
- Density'
- Earthen Berms; and
- Fences or Walls.

Wider Buffer yard with Limited Plant Density or

Narrow Buffer yard with or without fence/wall & increased plant density

Circulation is a big consideration for a development this size. There are four areas that could be created for circulation; otherwise circulation would be limited without a series of easements and/or circulation elements. A plat will come forward after the zoning that would define in more detail circulation issues, particularly the extension of Westfield Boulevard.

Westfield Boulevard would be built to arterial standards which includes a minimum of 70-foot right-of-way and 49-foot pavement and include six-foot sidewalks on both sides. This would also be addressed during the plat process.

Potential improvements would include an extension of Tanglehead Drive. Tanglehead Drive is currently designated as a local street and would function as a collector.

There is currently a Cost-Share Improvement for the section of Tanglehead from Meadowbrook to Old Waco Road (Outer Loop) and is currently in the design stage.

In terms of the Zoning Map, the Single-Family Three (SF-3) and GR are consistent with the SF-3 that is adjacent to the subject property. The NS and GR zoning districts are already established along West Adams.

The Future Land Use and Character Map designates the subject property as Suburban-Residential, which is primarily for single family detached residential uses, specifically SF-1, SF-2. The Suburban-Residential designation does not support the four zoning districts and would be more consistent under a Suburban-Commercial designation which supports office, retail and services uses.

The subject property is located at the intersection between two arterials, Westfield Boulevard and West Adams Avenue and Single Family residential is not likely to occur within this corridor.

A 12-inch water line along West Adams Avenue and an eight-inch sewer line along Tanglehead Drive are available to serve the property. These would be addressed in more detail during the platting process.

West Adams Avenue (FM 2305) would require a six-foot sidewalk on the south side.

The proposed arterial for Westfield Boulevard would be a minimum of 70-foot right-of-way and 49-foot pavement section. This would extend to Iron Gate and ultimately connect to Tarver Road leading south of the project site.

An existing City-Wide Spine Trail is located on West Adams Avenue.

Anticipated roadway extension of Westfield Blvd (across West Adams and connect to Iron Gate Drive) would anticipate a right-of-way width to vary from 92-feet to 60-feet. A six-foot sidewalk on both sides of Westfield Boulevard.

Potential Extension of Tanglehead Drive:

- Functions as a future collector and needs to be built to collector street standards: 55-foot right-of-way and 36-foot pavement

- Six-foot sidewalk on one side of Tanglehead Extension

- Cost-Sharing improvements to Tanglehead Drive from Meadowbrook to Old Waco Road

The final design of "Project-Related" improvements to be addressed by subdivision plat.

The developer efforts for Westfield Boulevard extension provide compliance to Thoroughfare Plan.

Cross-sections of various streets/roads and different right-of-ways are shown and briefly explained.

Surrounding properties include existing retail and service uses along West Adams Avenue, zoned PD-GR and GR to the north, existing retail and service uses along West Adams Avenue, zoned PD-NS, and Tanglehead Drive Access Point, zoned SF-3, to the east, First Baptist Church, zoned AG to the west, and existing single family residences (Hills of Westwood Subdivision), zoned SF-3, and potential access point at Iron Gate Drive to the south.

Several NS, GR, SFA-3 and MF-2 allowed uses are briefly covered, along with current and proposed development standards for all four districts.

Ninety notices were mailed in accordance with all state and local regulations with 10 notices returned in agreement and nine notices returned in disagreement.

This request is in compliance with the Thoroughfare Plan, surrounding uses and zoning, and public facilities are available to serve the property. The request is not in compliance with the Future Land Use and Character Map.

Developer examples are shown for similar apartment projects.

Staff recommends approval of the request from AG to GR, NS, SFA-3 and MF-2.

Mr. Baker explained it was Staff's understanding a request was made in the design review process for a portion of that lot to remain available for potential access for Westfield to extend through.

Mr. Brian Chandler, Director of Planning, added that a proposed extension of Westfield is shown through Iron Gate on the Thoroughfare Plan, so the residential phase of the plat included dedication of the lot for future connectivity. It is shown as a minor arterial but may serve as a collector instead. Mr. Baker stated the extension would be looked at through the subdivision plat.

Mr. Chandler added if it was not proposed to connect to Iron Gate, it would come back to P&Z. A change in the Thoroughfare Plan would come back to P&Z if that were part of the development proposal.

It was stated that Iron Gate is a Kiella development.

Commissioner Sears was concerned that if this connection were not done, there would only be one way in and one way out on Westfield and did not feel Tanglehead Drive was a good idea.

Mr. Chandler stated Staff supports the Thoroughfare Plan alignment that the additional connectivity does affect some existing houses at Iron Gate; however, Tanglehead could be an additional option but would provide alternate options and not feed all of the traffic in and out of 2305.

Mr. Chandler commented there are currently no connections proposed for South Pea Ridge as part of this project.

Commissioner Pitts stated his concern was that a lot of traffic would be dumped in the neighborhood, especially as busy as 2305 is, which was not anticipated.

Commissioner Sears commented that last year approximately 2,000 houses were platted in west Temple that had not yet started construction and wondered if Staff had any idea of what has been platted versus being built. Mr. Chandler was not certain of any numbers, but some of the developments are currently active with permitting.

Commissioner Rhoads asked about road updates in the area.

Mr. Chandler did not have a list of the projects but mentioned Tarver is being extended and will eventually reach Old Waco Road and Hogan Road is scheduled on the Temple Capital Improvement Projects (TCIP) for east/west connectivity.

Mr. Chandler believed Crossroads Regional Park, Phase I, should be bidding site work within the next couple of months and Phase II for the actual improvements should be within the next year.

Chair Jones opened the public hearing.

Mr. Scott Motsinger, 506 Northcliffe Drive, Belton, Texas, stated he was the broker of record, represents First Baptist Church, and believes the development will be a huge benefit to the community.

The applicant would like to have retail use at the front along with some neighborhood services, and residential to the rear, similar to the Westfield development. The applicant wants to provide a lot of buffering to the residential areas for privacy which is why the enhanced landscaping was offered and included.

Each time a parcel is sold, the applicant will need to go through the platting process which would address utility and drainage issues.

Mr. Motsinger explained Westfield is needed in order to get people to 2305. The estimated bridge cost across the drainage easement from Tanglehead to Pea Ridge would cost in the \$500,000 range, which would be cost prohibitive and Mr. Motsinger is not certain if or when it would ever connect to Pea Ridge.

Tarver would be a major relief from an east/west standpoint.

Mr. Motsinger stated leaving the trees for the developer would be great; otherwise, the developer would need to buy and replant new trees. If the City allowed the trees to remain it will help fulfill the buffer requirements and save the developer additional expense.

Currently, there is no site plan or design for the residential portion of the request. Mr. Motsinger stated it could be townhomes, single family garden homes, or something like that.

Mr. Robert Murray, 4689 Old Pond Drive, Plano, Texas, stated only 15 acres would be needed for the MF-2 portion for 240-250 units. The City was planning on putting in the extension on Westfield in the future (through the platting process) and the developer would pay half of that cost. An easement on Tanglehead would be given to the City.

As the trees grow, the apartments will most likely not be seen from the neighboring residences and the buildings will only be three stories.

Mr. Jon Burrows, 709 Clover Lane, Temple, Texas, stated he was the Chairman of the Property Committee for First Baptist. Several members of First Baptist were in attendance.

Mr. Burrows commented this is their neighborhood and in the contract with buyers there are very strict restrictions on what can go in there and would be comparable and acceptable for the area.

The apartments would be market rate apartments and are not subsidized. The Church likes the look of the Kiella development across the street and what their aim would be. Access easements are being worked on for the retail section of the development. The Church has a vested interest in this project, will not be going anywhere, and it will benefit the community.

The long-term plan for the Church will need approximately 60 acres for future development.

Mr. Burrows responded to the objections made on the responses and believes the developer is working on those issues. Buffering, trees, and landscaping would be included to create a first class development for the City of Temple.

Mr. David G. Marsh, 662 Devon Drive, Temple, Texas, stated he lived at the southeast corner of the subject development. Mr. Marsh was concerned about the future expansion of Old Waco Road. There are currently three other projects off of Old Waco Road (south toward Belton). Old Waco Road is not complete yet and here is another project.

There was extensive flooding with the existing two drainage ditches just north of Tanglehead due to all the heavy rains this year causing major traffic issues.

Staff and the developer confirmed that at this time Tanglehead is not proposed to be extended through to Westfield. Mr. Marsh was concerned there would only be one exit. Mr. Baker clarified the extension of Tanglehead would be reviewed during the platting process but is not currently part of a City proposed project nor is the applicant proposing any extension.

Mr. Marsh is very concerned about the traffic, especially south, along Old Waco Road due to his past and current construction experiences. Mr. Marsh asked that roads in the area would be reviewed due to all of the projects being developed.

Another immediate concern was the water pressure for the area, and this does not even include the upcoming projects. Perhaps a new pumping station could be installed. Other concerns were Police, Fire, and emergency vehicles.

Mr. Marsh is all for growth but requested the City needs to consider the hidden, in-depth details which would also be involved and affect the current and future residents.

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

Mr. Baker confirmed this item would go forward to City Council on October 6, 2016 for first reading.

Chair Jones encouraged the public to bring their concerns to the City Council as well.

Mr. Chandler explained that Public Works, on the TCIP plan, shows the different timing and projects, bonds, phasing, and other information should be on the City's website.

Mr. Chandler informed Mr. Marsh he would get the information requested and contact him.

Commissioner Sears stated he had no problem with the GR/NS portion of the project but was very apprehensive about the apartment portion. Placing approximately 240 units in that little section would lead to continued drainage issues and add more traffic problems. The entire

area is not designed very well considering the expansion planned. Commissioner Sears did not feel this project fit the Comprehensive Plan at all.

Commissioner Crisp was in agreement with Commissioner Sears.

Commissioner Pitts had issues with the Iron Gate portion but agreed outlets were needed, preferably in different areas.

Commissioner Rhoads commented the subject area needs to be well-planned out in order to accommodate the fast growth it is experiencing and to take a close look at the Thoroughfare Plan.

Chair Jones reopened the public hearing.

Mr. Will Sisco, Turley Associates, 911 North 9th Street, Temple, Texas, addressed the Iron Gate issue and pointed out that on the west side there are no houses fronting Iron Gate. There are houses adjacent to it but the driveways are not off of Iron Gate. Where Iron Gate connects to Tarver Road, it has a traffic calming median between the entrance and exit lanes and on the west side of Iron Gate there are no houses at all, so some provisions have been designed and planned for on the extension of Westfield Boulevard.

Also, there are existing drainage issues along and behind the existing development east of the subject property where Tanglehead crosses and currently some of those issues are being worked out by the pertinent entities involved. These items are being reviewed and the current projects that Turley Associates and the City are working on will be cleaned up as projects progress and develop.

Mr. Chandler confirmed Tanglehead was not on the Thoroughfare Plan. Tanglehead to the east, Old Waco Road, is a developer participation agreement, to make that connection. To the west to Westfield, that project is not on the Thoroughfare Plan. If this development were to happen it would change the dynamics and the need for that connection. The developer is not proposing to build that.

Mr. Chandler informed the Commission that while this is a base zoning case, conditions may not be added; however, a Planned Development (PD) District could be added to the request or the Commission could continue the item to another date. This would allow the opportunity for staff to get additional direction about the case and perhaps add a PD which could address the extension for Tanglehead.

Mr. Chandler confirmed the extension issue could be addressed at the platting phase.

Chair Jones closed the public hearing.

Commissioner Rhoads made a motion to approve Item 2, **Z-FY-16-43**, as presented, and Commissioner Langley made a second.

Chair Jones reminded the audience that the Commission was taking action on the zoning request only.

Motion passed: (6:1:0)

Commissioner Sears voted Nay; Vice-Chair Johnson and Commissioner Fettig absent

Item 3: I-FY-16-02 – Consider and recommend action on a resolution for an appeal of standards to Section 6.75(j) of the Unified Development Code (UDC) related to number of signs, height, square footage, and to allow a roof sign within the I-35 Corridor Overlay at 5141 N. General Bruce Drive.

Mr. Chandler stated this item was scheduled to go forward to City Council on September 15, 2016.

This project is the Baylor Scott & White Distribution Center currently under construction. The appeal for landscaping was approved in August 2015. Roughly a third of the property lies in the flood plain.

Site plan is shown. Mr. Chandler explained the building is set back approximately 360 feet from the property line mainly because of the presence of the flood plain.

The first phase under construction is approximately 104,000 square feet and an additional phase of approximately 50,000 square feet is planned.

The applicant is requesting four different signs:

Roof sign, 750 square feet. The trees in the flood plain have been preserved. Roof signs are prohibited in the I-35 Overlay.

Entry sign, 60 square feet, 15 feet tall, freestanding sign, located at the access entry. This sign meets the standards of a pylon sign but only one freestanding sign is allowed within the I-35 Overlay.

Project sign, 600 square feet, 45-feet tall, located along North General Bruce between the trees. I-35 Overlay limits sign height to 35 feet and square footage to 200 square feet. The current proposed project sign is 470 square feet, 35-feet tall.

Directional sign, eight square feet, five-foot four-inches tall, located where freight traffic would be directed to. This sign exceeds the three square feet maximum required. This sign would not be visible from North General Bruce Drive.

Mr. Richard Wilson, Deputy City Engineer and Flood Plain Manager, has confirmed a flood plain development permit would be required for the large Project Sign. The sign would also be set back significantly from the property line.

Staff recommends approval of the appeal as submitted based on the following:

Applicant has been working closely with Staff to revise the large project sign and to limit the number of signs; and

The signage provides clarity that the facility is for Baylor Scott & White “Logistics” (distribution center), rather than as a hospital use.

In reference to the following four signs, staff supports the proposed number, location, size and height:

1. The 750 square foot roof sign:

Provides visibility from I-35;

The building is 104,188 square feet and is set back 366-feet from the front property line; and

The building is heavily screened by existing trees, therefore justifying the need for a roof sign.

2. The 35-foot tall project identifier pylon sign:

Set back 40-feet plus from the front property line behind overhead utility lines and a 15-foot utility easement;

Surrounded by a dense canopy of preserved trees;

Reduced size and height; and

In reference to the following four signs, Staff supports the proposed number, location, size and height.

3. The 15-foot tall entrance pylon sign:

Identifies the entrance drive for truck traffic, employees and visitors; and

Serves as a directional sign.

4. One Directional Sign

Provide necessary directional distinctions between office and freight traffic; and

Not visible from the public right-of-way.

Mr. Chandler explained the I-35 Corridor Overlay runs from city limits to city limits (Belton side and Troy side).

Brief discussion regarding I-35 sign heights and appeals and freeway exits to serve the subject project.

Commissioner Sears made a motion to approve Item 3, I-FY-16-02, as presented, and Commissioner Pitts made a second.

Motion passed: (7:0)

Vice-Chair Johnson and Commissioner Fettig absent

Item 4: P-FY-16-43 – Consider and take action on the Final Plat of Wyndham Hill Addition, Phase VI, a 14.990 +/- acre, 70-lot, 6-block, residential subdivision, located in the Maximo Moreno 11 League Grant, Abstract 14, Bell County, Texas, located west of Fair Hill Drive, south of Wyndham Hill Parkway, east of Hartrick Bluff Road and west of South 5th Street.

Ms. Tammy Lyerly, Senior Planner, stated P&Z would be the final authority for this plat since the applicant has not requested and exceptions.

Location map and plat layout shown. The subject property is located between South 5th Street on the east side, Hartrick Bluff to the west, and south of Wyndham Hill Parkway.

The Development Review Committee (DRC) reviewed the plat on August 22, 2016 and was deemed administratively complete on August 31, 2016.

The proposed plat reflects temporary off-site ingress/egress easements for future phases at Cross Drive and Wyndcrest Drive. The proposed plat reflects a temporary off-site ingress/egress and drainage easement at the south end of Worthing Drive.

Water services will be provided through six-inch and eight-inch water lines within street rights-of-way. Sewer services will be provided through six-inch sanitary sewer lines with street rights-of-way. Drainage will be carried through a storm sewer system consisting of 18-inch and 24-inch pipes and new recessed curb inlets within street rights-of-way.

Park dedication requirements are being met with public park land dedication and a number of private pocket parks (no park land dedication requirements with this phase of subdivision).

Plat, water, sewer, and drainage-storm sewer maps shown.

Staff recommends approval of the Final Plat of Wyndham Hill Addition, Phase VI.

No public hearing is required.

Commissioner Rhoads made a motion to approve Item 4, **P-FY-16-43**, and Commissioner Sears made a second.

Motion passed: (7:0)

Vice-Chair Johnson and Commissioner Fettig absent

Item 5: P-FY-16-46 – Consider and take action on the Final Plat of Heritage Place, Phase V, a 15.095 +/- acre, 78-lot, 4-block, 1-tract, residential subdivision, situated in the A.G. Moore Survey, Abstract No. 596, Bell County, Texas, located directly south of the intersection of Eberhardt Road and West Nugent Avenue, at 2505 West Nugent Avenue.

Ms. Lyerly stated P&Z would be the final authority for this plat since the applicant has not requested and exceptions.

Location map and preliminary plat shown. West Nugent Avenue borders the north edge of the proposed plat.

The DRC reviewed the plat on August 25, 2016 and it was deemed administratively complete on August 31, 2016.

The proposed plat is not in agreement with the Second Amended Preliminary Plat (P-FY-12-04) (Resolution #2011-6500-R), but DRC staff have deemed the changes were not substantial enough to warrant another amended preliminary plat.

The proposed plat reflects a five-foot wide landscaping and fence easement along West Nugent Avenue to the Temple Heritage Place Property Owners Association.

- A one-foot non-access easement has been provided along the residential lots along West Nugent Avenue.
- This development received an administrative sidewalk waiver for a required six-foot wide sidewalk (UDC Section 8.2) along West Nugent Avenue, an arterial, during the preliminary plat process in 2011.
- A possible future sidewalk along West Nugent Avenue is part of the Citywide Trails System.
- Water services will be provided through existing six-inch water lines and proposed eight-inch water lines within street rights-of-way.
- Sewer services will be provided through existing and proposed 6-inch and 8-inch sanitary sewer lines within street rights-of-way.
- A total park land dedication along the eastern boundary/creek of approximately 1.7 acres to be developed with a trail prior to the final park land dedication with Phase VI of this subdivision, per Resolution #2008-5363-R.
- Tract A, shown on the plat, is for park land (future trail) and drainage facilities.

Ms. Lyerly stated Phase VI would be the last phase of this development.

Plat, Tract A, and utility maps shown.

Staff recommends approval of the Final Plat of Heritage Place, Phase V.

No public hearing is required.

Commissioner Alaniz made a motion to approve Item 5, **P-FY-16-46**, as presented, and Commissioner Crisp made a second.

Motion passed: (7:0)

Vice-Chair Johnson and Commissioner Fettig absent

There being no further business, the meeting was adjourned at 7:13 p.m.

Respectfully submitted,

Leslie Evans

**PLANNING AND ZONING COMMISSION
TUESDAY, SEPTEMBER 6, 2016
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair David Jones

COMMISSIONERS:

Jeremy Langley
Blake Pitts
Will Sears

Lydia Alaniz
Greg Rhoads
Omar Crisp

PLANNING AND ZONING MEMBERS ABSENT:

Patrick Johnson

Lester Fettig

STAFF PRESENT:

Brian Chandler, Director of Planning
Trudi Dill, Deputy City Attorney
Richard Wilson, Deputy City Engineer
Lynn R. Barrett, Assistant Director of Planning
Tammy Lyerly, Senior Planner
Mark Baker, Senior Planner
Dessie Redmond, Planner
Leslie Evans, Planning Technician

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

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

With a quorum present, Chair Jones opened the work session at 5:04 p.m. and asked Mr. Brian Chandler, Director of Planning, to proceed.

Mr. Chandler introduced Ms. Lynn R. Barrett, new Assistant Planning Director, to the Commission. Ms. Barrett returns to Texas from Wyoming and will make her presentation debut at the September 19th meeting.

Item 2 has generated the most discussion and numerous returned comments have come in since the packet went out.

Mr. Chandler stated Staff considered if this case needed a PD or not due to the various zoning requests; however, the applicant created a set of restrictive covenants which include the same type of conditions Staff would recommend for a PD. The restrictive

covenants provide extra protection to adjacent property owners and it was modeled after the Westfield Master Plan.

This subject property will need to be platted and the issues would be reviewed in more detail at that time. This would provide additional assurance that Westfield Boulevard gets dedicated as a public roadway and constructed.

Westfield's extension to the south would have to happen in order to provide appropriate access. Staff has met with the applicant to discuss alignment that makes sense for the area. Westfield is a minor arterial and would need to be built to at least minimum standards. If more is required, cost sharing with the City is an option.

Item 3, Baylor Scott & White Distribution Center, has come back for their signage. The applicant has been cooperative with Staff regarding compromises on their request.

There may be an upsurge of appeals once I-35 is completed.

There are two plats which are straightforward.

Regarding the Director's Report, Z-FY-16-45 and Z-FY-16-46 will be coming to P&Z next meeting. One is a blanket CUP for The District for all of the restaurant sites which would serve all alcoholic beverages.

Ms. Barrett is the case manager for Z-FY-16-46, located at 5806 South General Bruce Drive, for a CUP request for RV sales and rentals. Apparently, the tenant signed a lease before realizing the use is prohibited so Staff has been working with the applicant to come up with long-term alternatives to create a PD to pull the use into the Overlay.

Discussion regarding The District CUP request regarding alcohol percentages.

Mr. Chandler stated he would double check on Westfield as well.

Discussion about where RV sales and rental should be located if not along the highway and the definition of RVs.

Code amendments could address uses that are allowed and/or prohibited.

Mr. Chandler reminded the Commissioners the next meeting would include elections for Chair and Vice-Chair. It will be Commissioner Sears' last meeting since his term has ended and Commissioner Pitts' last meeting since he has been appointed to another board.

Due to time constraints, Chair Jones closed the meeting at 5:28 P.M.



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

09/19/2016
Item #2
Regular Agenda
Page 1 of 4

APPLICANT / DEVELOPMENT: Brian Lent (On behalf of Highline Temple 39 Ltd.)

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: Z-FY-16-45: Hold a public hearing to consider and recommend action on a Conditional Use Permit (CUP) to allow the sales of all alcoholic beverages with on-premise consumption, where the gross revenue from such sales is less than 50% of the total gross revenue of the establishment, on Lots 2 through 7, 10 & 11, Block 1 of the Highline Addition, subdivision, located generally at the northwest corner of Scott Blvd and South 31st Street.

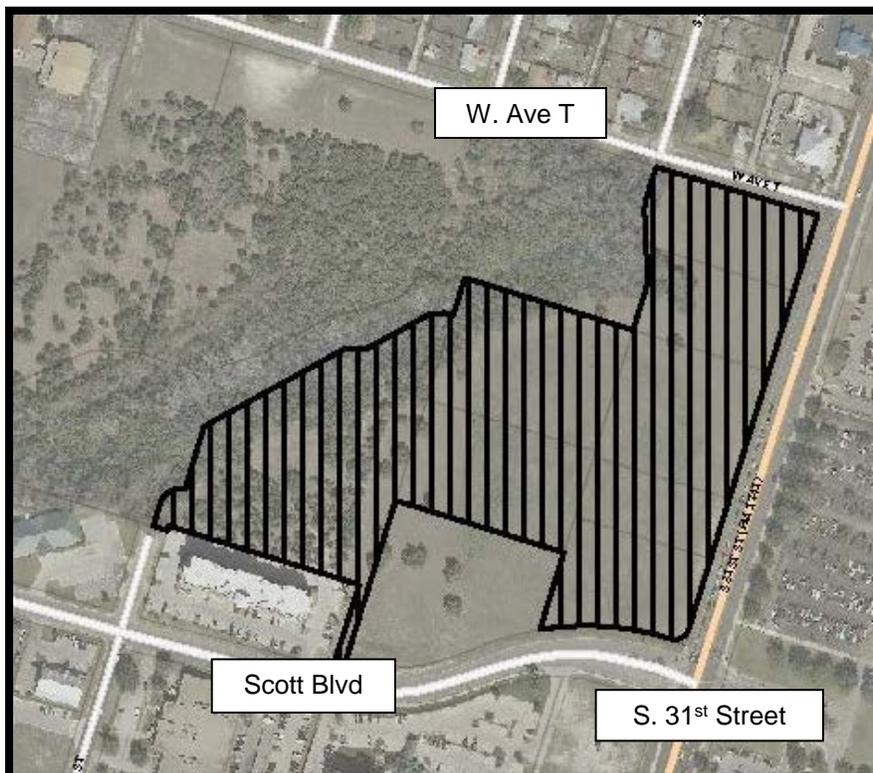


Figure 1: Aerial Location Map

STAFF RECOMMENDATION: Based on the following analysis that:

1. The project has demonstrated compliance with the specific standards in the Unified Development Code (UDC Section 5.3.15B) related to distance requirements from a place of worship or public hospital;
2. The project has demonstrated compliance to Chapter 4 of the City of Temple Code of Ordinances related to alcoholic beverages; and
3. The request is consistent with zoning and compatible with existing adjacent and anticipated retail and service uses.

Staff recommends approval of the requested Conditional Use Permit to allow sales of alcoholic beverages where less than 50% of the total gross revenue of the establishment, subject to the following conditions:

1. That the sale of all alcoholic beverages be restricted to on-premise consumption only, contained within Lots 2-7, 10 & 11, Block 1 of the Highline Addition, subdivision, located at the northwest corner of Scott Blvd and South 31st Street;
2. The use is subject to compliance to Chapter 4 of the City Code of Ordinances related to alcoholic beverages; and
3. That the Conditional Use, complies with UDC Section 5.3.15 related to all alcoholic beverage sales with on-premise consumption.

ITEM SUMMARY: The request is a “blanket approval” for eleven lots within the PD T-5C-portion of the District, subdivided as the Highline Addition. This is similar in nature to the recently approved Rosa’s Café Restaurant on Lot 1, which was approved by City Council in May 2016 by Ordinance 2016-4767.

BACKGROUND: Lots 2-7, 10 & 11 are within the recorded subdivision of The Highline Addition (attached as Exhibit A). The Highline Addition subdivision is within the 40.389 +/- acre mixed use development known as “The District”, which was rezoned on February 4, 2016, by Ordinance 2016-4749, to Planned Development - Temple Medical Education District (TMED) with an underlying transect zone designation of T-5C. Discussion related to Comprehensive Plan compliance was addressed during the related analysis of that request. Specific to this request, an establishment that generates less than 50% of its total gross revenue from the sale of all alcoholic beverages for on-premise consumption is a compatible use subject to approval of a Conditional Use Permit. It is also compatible with the anticipated retail and service uses to be developed within “The District” and the surrounding area along South 31st Street.

Exterior building elevations, lot layout and site design are subject to Ordinance 2016-4749, which not only provided for exceptions to site plan standards, granted by City Council, but also the Planned Development as a whole. Compliance to both Ordinance 2016-4749 as well as the Ordinance for the Conditional Use Permit will be confirmed during the review of the building permit.

Additionally, it is noteworthy, that City Council has recently approved similar “blanket-type” conditional use permits, which included on-premise alcohol sales and consumption for multiple establishments and suites along W. Adams Ave. as follows:

1. Multiple address within the Westfield Master Plan along the north side W. Adams Ave & Honeysuckle Drive under common ownership within a Planned Development for all alcohol that is less than 75% of the establishment’s gross revenue (Ord. 2015-4718), and
2. Multiple suites in the Westfield Market center to allow all alcohol that is between 50% and 75% of the establishment’s gross revenue (Ord. 2015-4720).

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

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

Additionally, the UDC states:

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

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

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

Further, UDC Section 5.3.15B provides standards for all establishments with alcoholic beverage sales with on-premise consumption that is less than 75% of the gross total revenue. The standards include a distance requirement of not being within 300 feet of a place of worship, public school or public hospital and how the distance is measured. Using the calculation prescribed by UDC Sec. 5.3.15B2, the nearest sensitive use is the Baylor, Scott & White Hospital located approximately 682 feet away and the nearest Place of Worship, The Ave T Church of Christ, is located approximately 1,323 feet away as measured by City-adopted & TABC measurement standards.

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

DEVELOPMENT REVIEW COMMITTEE (DRC): The DRC reviewed the proposed conditional use permit on September 6, 2016. No issues were identified during the review.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This Conditional Use Permit is scheduled for 1st Reading on October 20, 2016 and a 2nd Reading for November 3, 2016.

PUBLIC NOTICE: Twenty-five (25) 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 September 15, 2016 at 3:00 PM, no notices in agreement and no notices in disagreement have been received. Staff will provide an update relative to late responses, if necessary.

The newspaper printed notice of the public hearing on September 8, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- A. Chapter 4 – Code of Ordinances – Alcoholic Beverages
- B. Site and Surrounding Property Photos
- C. Highline Addition, Final Plat (Exhibit A)
- D. List of Maps
 - Location Map
 - Aerial Map
 - Zoning Map
 - Notification Map
- E. Ord. 2016-4749 – The District

Chapter 4

ALCOHOLIC BEVERAGES

ARTICLE I. EXTENDED HOURS

Sec. 4-1. Extended hours.

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

ARTICLE II. SPACING

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

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

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

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

Sec. 4-4. Measurement for public school.

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

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

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

Sections 4-5 through 4-10 reserved.

ARTICLE III. LICENSE AND PERMIT FEES

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

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

Sec. 4-12. Display.

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

Sections 4-13 through 4-20 reserved.

ARTICLE IV. SALE OF ALCOHOLIC BEVERAGES ON CITY PROPERTY

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

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

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

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

Site & Surrounding Property Photos



Site – In Development (From Scott Blvd) Highline Addition, subdivision (TMED T5-C)



Site – In Development (TMED T5-C)

B-1



Site – In Development (Looking North toward W. Ave T) (TMED T5-C)



**North: SF Residential Uses along W. Ave T
Dubose Addition First Extension, subdivision (2F)**

B-2



South: Existing Retail Service Uses (Hilton Garden Inn) (GR & TMED T5-C)



**South: Developing & Existing Retail Service Uses
(GR & TMED T5-C)**

B-3



East: Baylor, Scott & White Hospital (TMED SD-H)



**West: Existing Retail & Service Uses (Candlewood Suites Hotel)
(C)**

B-4



**West: In Development – The District – Highline Addition, subdivision
(TMED T5-E)**



**West: SF Uses along W. Ave V – Skyline, subdivision
(2F)**

B-5

STATE OF TEXAS
COUNTY OF BELL

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

HIGHLINE TEMPLE 39, LTD.

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

STATE OF TEXAS

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

Given under my hand and seal of office, this 21st day of JUNE, 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 15th DAY OF JUNE, 2016.

CHAIRPERSON
SECRETARY TO PLANNING & ZONING COMMISSION

AFFIDAVIT:

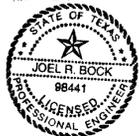
THE TAX APPRAISAL DISTRICT OF BELL COUNTY, TEXAS, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWED ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE 15th DAY OF JUNE, 2016

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.

DATE 6-6-16
REGISTRATION NO. 98441



KNOW ALL MEN BY THESE PRESENTS:

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

DATE 6-2-16
REGISTRATION NO. 6119



This project is referenced to the City of Temple Coordinate System, referenced in NAD 1983 Central Texas State Plane. All distances are horizontal surface distances and all bearings are grid bearings. All coordinates are referenced to City of Temple Monument No. 3. The theta angle of Monument No. 3 is 01°31'42". The combined correction factor (CCF) is 0.999857. Grid distance = Surface distance x CCF. Geodetic North = Grid North + theta angle. Published City coordinates for City Monument No. 3 are N=10,368,408.891 E=3,225,333.768 Reference line from the City Monument No. 3 to the Southwest corner and Point of Beginning of the subject tract is S 71° 22' 44" E 1,867.79 feet.

Floodplain Notes

Based upon what can be scaled from graphics shown on FEMA Flood Insurance Rate (FIRM) Map Number 48027c0355e, Effective date: September 26, 2008, the above shown property that flooding will not occur. Nor does it create any liability in such event on the part of this surveyor or company.

Sidewalk Note:

Sidewalks are required along South 31st Street (major arterial) and Scott Boulevard (collector), in accordance with the City of Temple Unified Development Code, Section 6.3 (MED).

FINAL PLAT OF HIGHLINE ADDITION

WITHIN THE CITY LIMITS OF TEMPLE, BELL COUNTY, TEXAS

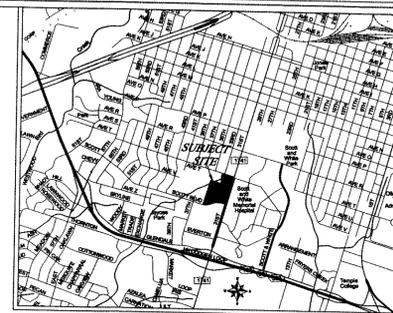
being a part of the REDDING ROBERTS SURVEY, ABSTRACT NO. 692, in Bell County, Texas, and being a part of that 40.389 acre tract conveyed to HIGHLINE TEMPLE 39, LTD., of record in Document No. 2015-18857, Deed Records of Bell County, Texas (DRBCT).

OWNER:

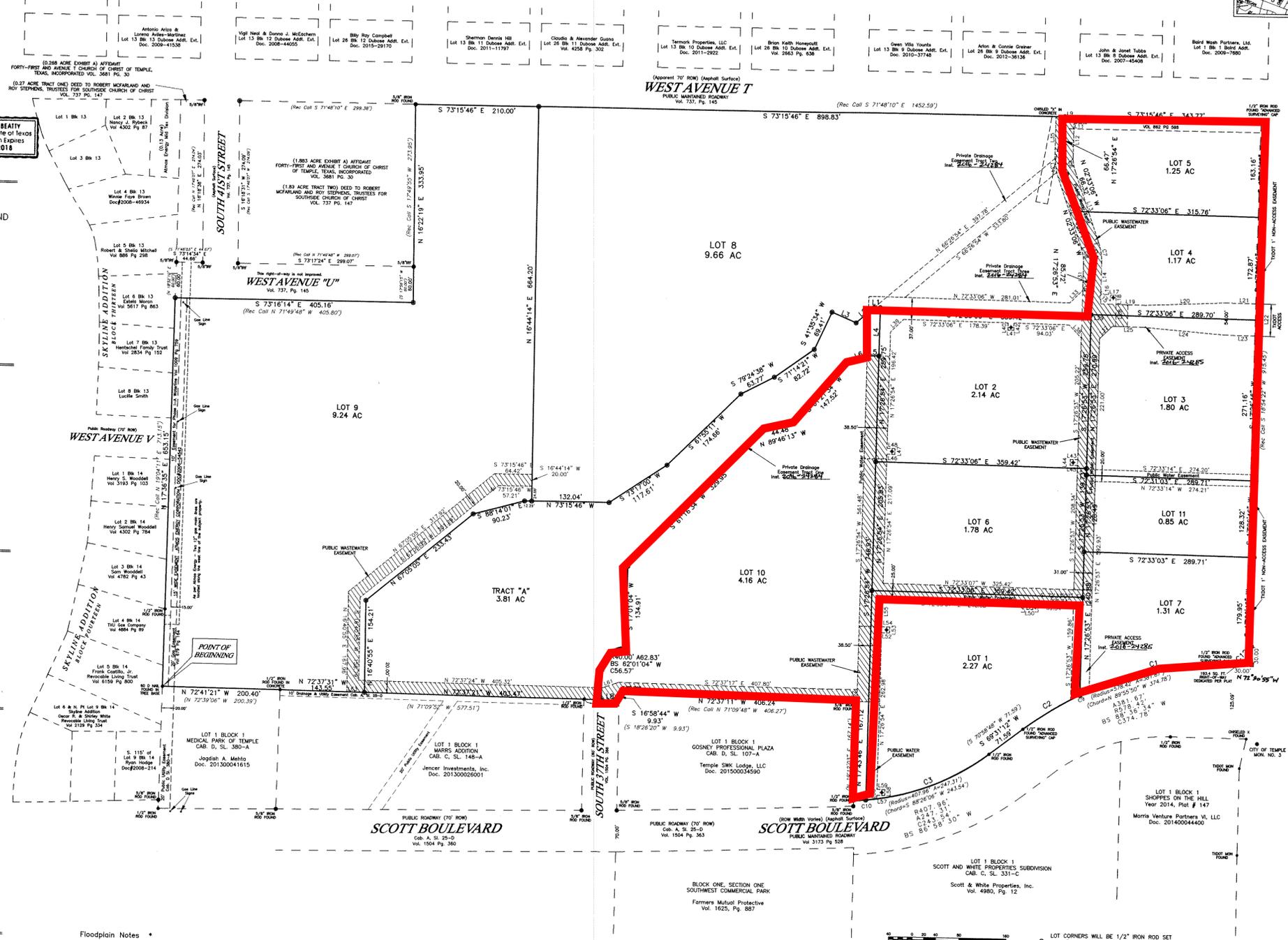
HIGHLINE TEMPLE 39 LTD.
3131 TURTLE CREEK, STE. 850
DALLAS, TEXAS 75219

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"=3000'



LINE	BEARING	DISTANCE
L1	S 72°33'06" E	10.36'
L2	N 66°26'54" E	40.04'
L3	S 49°59'51" E	44.89'
L4	S 17°26'54" W	61.02'
L5	N 72°33'06" W	20.00'
L6	S 86°57'16" W	26.41'
L7	S 17°22'39" W	50.00'
L8	N 72°33'06" E	30.49'
L9	S 73°15'46" E	43.70'
L10	S 17°26'54" W	10.96'
L11	N 72°33'06" W	12.70'
L12	S 17°26'54" W	55.86'
L13	S 02°33'06" E	127.03'
L14	S 17°26'54" W	45.72'
L15	S 27°33'06" E	23.17'
L16	N 17°26'54" E	10.04'
L17	S 72°33'06" E	10.00'
L18	S 17°26'54" W	15.16'
L19	S 72°33'06" E	48.60'
L20	S 76°04'18" E	38.44'
L21	S 72°33'06" E	161.63'
L22	S 17°26'46" W	54.00'
L23	N 72°33'06" W	61.03'
L24	N 69°01'54" W	138.44'
L25	N 72°33'06" E	53.48'
L26	S 17°26'54" W	37.00'
L27	N 72°33'06" E	20.00'
L28	N 17°26'54" E	37.00'
L29	N 72°33'06" E	57.85'
L30	S 17°26'54" W	85.72'
L31	S 17°26'54" W	45.72'
L32	S 02°33'06" E	135.12'
L33	S 62°26'54" W	30.41'
L34	S 09°01'52" W	23.74'
L35	S 17°26'54" W	70.60'
L36	S 17°19'36" W	9.83'
L37	N 62°26'54" E	30.41'
L38	S 27°33'06" E	30.41'
L39	N 62°26'54" E	30.41'
L40	S 17°26'54" W	12.34'
L41	S 72°33'06" E	10.00'
L42	N 17°26'54" W	12.34'
L43	N 72°33'07" W	12.62'
L44	S 17°26'54" W	10.00'
L45	S 72°33'07" E	12.62'
L46	S 72°33'06" E	13.48'
L47	N 17°38'25" E	10.00'
L48	N 72°21'35" W	13.52'
L49	S 16°44'41" W	11.06'
L50	S 73°15'19" E	10.00'
L51	N 16°44'41" E	10.93'
L52	S 72°21'35" E	13.64'
L53	N 17°38'25" E	10.00'
L54	N 72°21'35" W	13.68'
L55	N 17°26'54" E	47.86'
L56	N 17°26'54" E	6.17'
L57	S 72°21'35" E	13.64'
L58	N 17°38'25" E	10.00'
L59	N 72°21'35" W	13.68'
L60	S 46°45'01" W	10.32'
L61	N 87°22'43" E	29.03'
L62	S 17°26'54" W	20.00'
L63	N 72°38'18" W	20.00'

RECORDATION INFORMATION:

FILED THIS THE 1 DAY OF July, 2016

IN YEAR 2016 PLAT # 78, PLAT RECORDS OF BELL COUNTY, TEXAS

DEDICATION RECORDED IN INSTRUMENT NUMBER 206-25829

OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	578.42'	269.19'	266.77'	N 85°45'30" W	26°39'54"
C2	578.42'	113.10'	112.92'	S 75°18'29" W	11°12'10"
C3	407.96'	226.43'	223.53'	S 85°30'30" W	31°48'01"
C4	88.00'	30.72'	30.56'	N 07°26'54" E	20°00'00"
C5	88.00'	30.72'	30.56'	N 07°26'54" E	20°00'00"
C6	72.50'	25.31'	25.18'	S 07°26'54" W	20°00'00"
C7	103.50'	36.13'	35.94'	S 07°26'54" W	19°59'59"
C8	72.50'	25.31'	25.18'	S 07°26'54" W	19°59'59"
C9	578.40'	34.66'	34.65'	S 80°53'44" W	3°28'00"
C10	407.96'	39.54'	39.53'	N 78°26'05" W	5°33'13"
C11	407.96'	20.89'	20.89'	N 77°07'29" W	2°54'01"
C12	30.00'	47.10'	42.41'	S 62°27'54" W	89°37'45"

EXHIBIT A

A

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

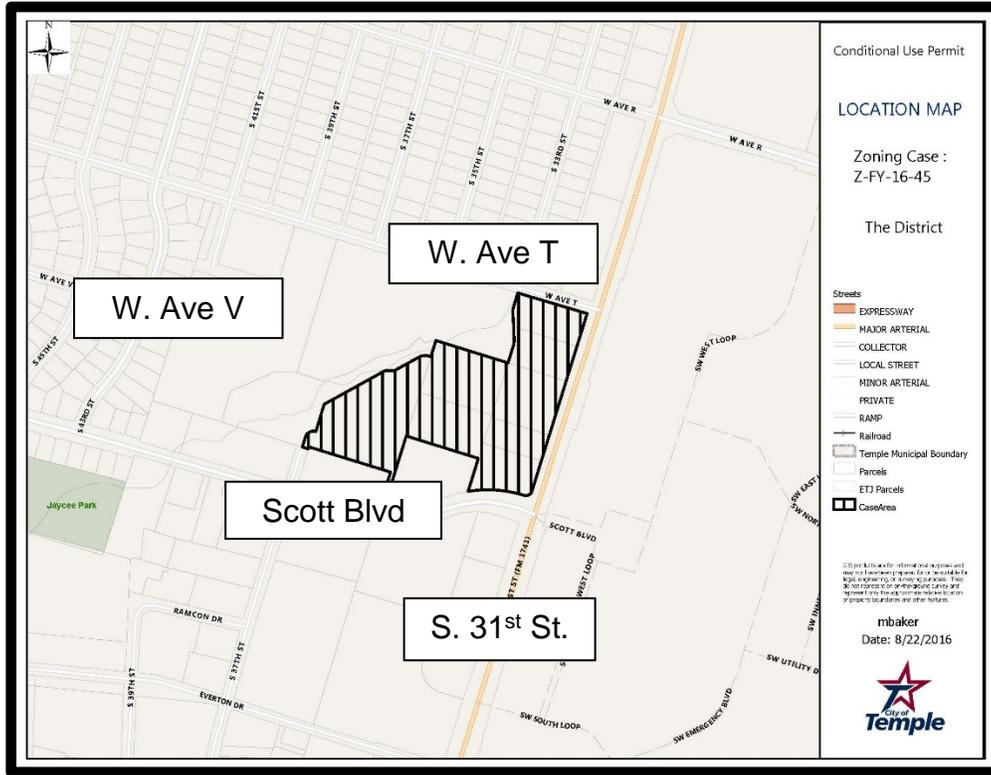
1610 South 31st St., Ste. 102-299
Temple, Texas 76504
254-760-1894 254-760-4633
www.asm-tx.com Firm Reg. #10193722

Advanced Surveying
& Mapping, LLC

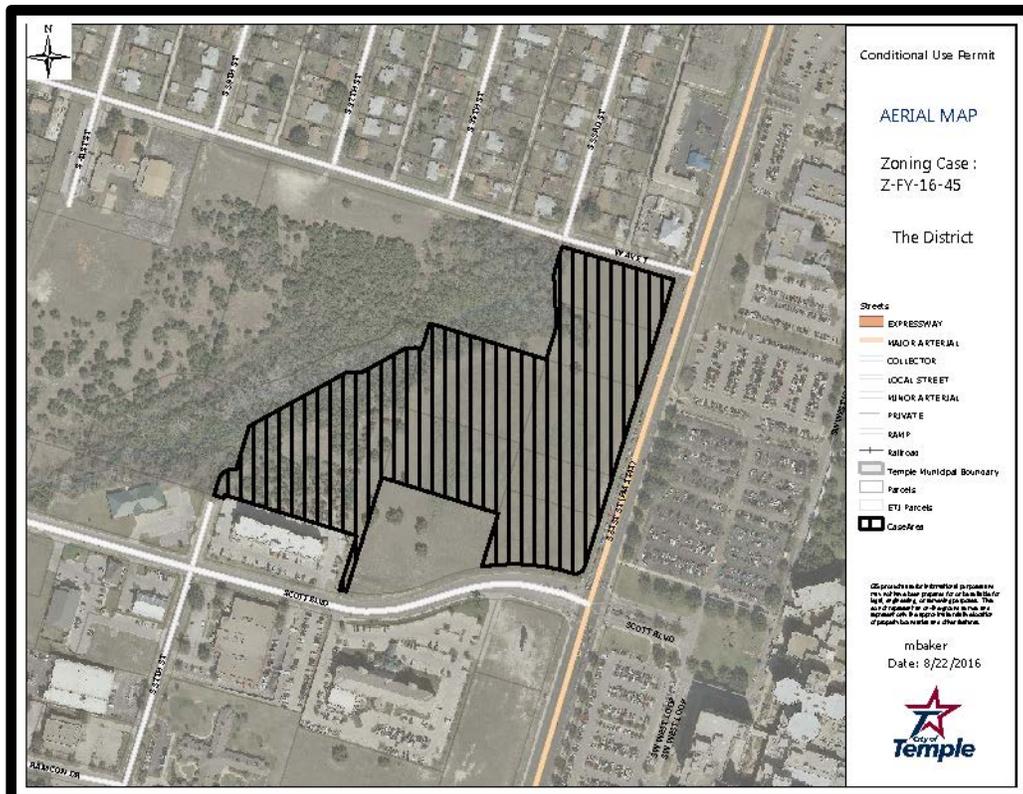
Scale: 1" = 100'
Job No. 140144-2
Dwg No. 140144-P3
Surveyor TLK #6119
Plot Date 06-02-16

C-1

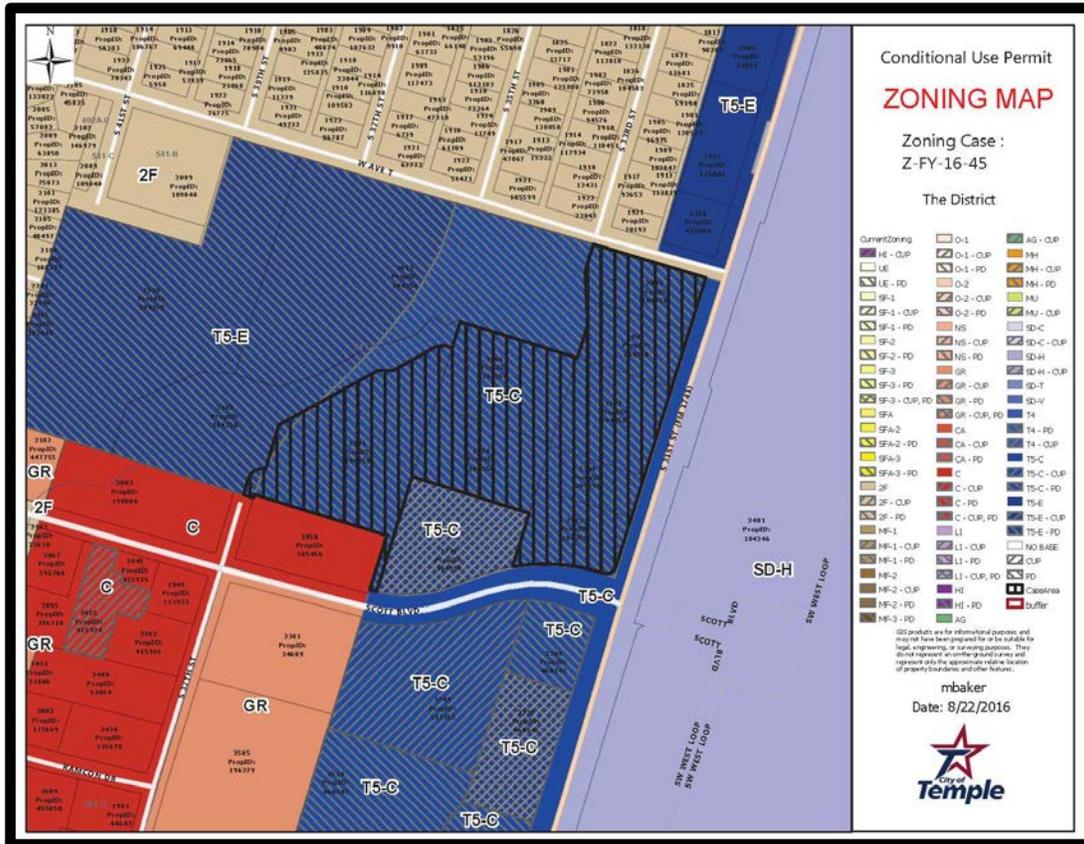
Maps



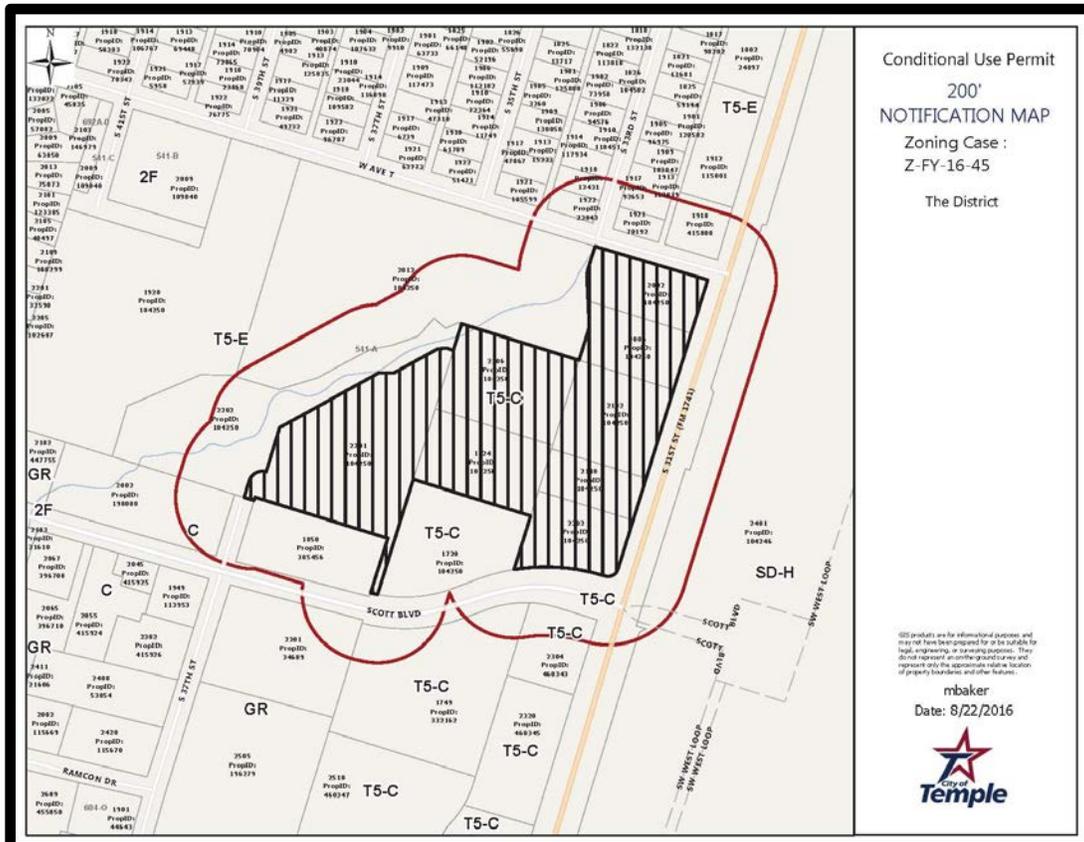
Location Map



Aerial Map



Zoning Map



Notification Map

ORDINANCE NO. 2016-4749

(PLANNING NO. Z-FY-16-03)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING REZONING FROM T4 TO PD-T5-e AND FROM T5-c TO PD-T5-c TO ACCOMMODATE A COMBINATION OF MULTIPLE-FAMILY AND NONRESIDENTIAL DEVELOPMENT ON APPROXIMATELY 40.389 ACRES OF LAND IN THE TEMPLE MEDICAL AND EDUCATIONAL DISTRICT, BEING A PART OF THE REDDING ROBERTS SURVEY, ABSTRACT NO. 692, BELL COUNTY, TEXAS, LOCATED AT THE NORTHWEST CORNER OF SOUTH 31ST STREET AND SCOTT BOULEVARD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves rezoning from T4 General Urban Zone to Planned Development T5e-Neighborhood Edge Zone (PD-T5-e) and from T5-c Urban Center Zone (T5-c) to Planned Development T5-c Urban Center Zone (PD-T5-c) to accommodate a combination of multiple-family and nonresidential development in the Temple Medical and Educational District (TMED) on approximately 40.389 acres of land, being a part of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at the northwest corner of South 31st Street and Scott Boulevard, and more particularly described in Exhibit A.

Part 2: The City Council approves the PD-T5-e and PD-T5-c districts described in Exhibit A, subject to applicable TMED standards, with the exceptions and conditions listed as follows:

Multiple-Family Phase (PD-T5-e) Exceptions:

1. Setback Dimensional Standards (Sec. 6.3.5.B)
 - a. Maximum 12' front yard setback and maximum 30' side yard setback are waived to allow the configuration shown in Exhibit B, Site/Landscaping Plan.
2. Building Configuration (Sec. 6.3.5.D)
 - a. Minimum 14' building story height is reduced to 10'6".
3. Alleys (Sec. 6.3.8.3.b)
 - a. Requirement for parking areas and garages to be accessed by rear alleys is waived.
4. Public Frontage Standards (Sec. 6.3.11.B.5)
 - a. Six-foot street yard planting strip may be located behind the 6' sidewalk to accommodate utilities.
5. Materials Required (Sec. 6.3.13.B)
 - a. The limit of 20% cementitious siding per façade plane is waived to allow materials as shown in Exhibit C, Apartment Elevations.

6. Building Design (Sec. 6.3.13.D)
 - a. Minimum 5:12 roof pitch is reduced to 4:12.
7. Parking and Garage Standards (Sec. 6.3.14)
 - a. Minimum of 1 enclosed garage space per 2 units is reduced to 1 space per 3.25 units.
8. Private Property Common Area Standards (Sec. 6.3.15.E)
 - a. The multiple-family phase will provide the alternative amenities listed as follows: new trees, swimming pool, grill house, pool water feature, dog wash station, benches, trail, club house, office center, and exercise facility.

Multi-Family Phase (PD-T5-e) Conditions:

1. Private Property Common Area Standards (Sec. 6.3.15.E)
 - a. The multiple-family development will include approximately 22,826 sf of common area, exceeding the required minimum area of approximately 18,600 sf.
2. Development must achieve substantial compliance with the approved plans shown in Exhibits B, C, and D.
3. The Planning Director is authorized to approve minor changes. Substantial changes require approval by City Council.

Nonresidential Phase (PD-T5-c) Exceptions:

1. Setback Dimensional Standards (Sec. 6.3.5.B)
 - a. Maximum 12' front yard setback is waived to allow configurations shown in Exhibit B, Site/Landscaping Plan.
2. Building Configuration (Sec. 6.3.5.D)
 - a. Two-story minimum building height is waived.
3. Use Standards (Sec. 6.3.6.D)
 - a. Prohibition of commercial surface parking lot is waived.
 - b. Prohibition of drive-through lane for restaurant is waived for Tracts 1, 2, 4, 5 and 6.
4. Specific Use Standards (Sec. 6.3.6.E)
 - a. Development may exceed maximum 10,000 sf gross floor area.
5. Block Perimeter (Sec. 6.3.7.C)
 - a. Maximum block perimeter standard of 2,000 sf is waived.
6. Parking Lot Landscaping (Sec. 6.3.10.D)
 - a. Requirement for one landscape parking island per 10 parking spaces is reduced to one island per 12 spaces.
7. Parking Lot Screen (Sec. 6.3.10.E)
 - a. Parking lot screening is waived.
8. Public Frontage Standards (Sec. 6.3.11)
 - a. Trees may be clustered instead of being regularly spaced. (Sec. 6.3.11.D.1)
 - b. Six-foot street yard planting strip may be located behind the 8' sidewalk. (Sec. 6.3.11.D.2)
 - c. Requirement for groundcover in street yard planting strip is waived. (6.3.11.D.2)
9. Architectural Standards (Sec. 6.3.13.D)
 - a. For horizontal articulation, the minimum offset per 50' building façade length is reduced from 5' to 2'.
 - b. Windows and doors for transparency are waived for public-facing façades for the hotel site.

10. Signage (Sec. 6.3.16.C)

a. Wall Signs

- i. Multi-tenant signs are limited to 1 wall sign per façade of tenant's premises (3' tall x 80% of maximum of façade length of tenant space).
- ii. Single-tenant signs are limited to 1 wall sign per façade (sign area not to exceed 25% of elevation area).

b. Monument Signs

- i. One 25' tall project multi-tenant monument sign is allowed at the South 31st Street entrance.
- ii. One 20' tall multi-tenant monument sign is allowed at the West Avenue T entrance, and one 20' tall multi-tenant monument sign is allowed at the Scott Boulevard entrance.
- iii. No more than 1 single-tenant or multi-tenant 10' tall monument sign is permitted for each individual lot.

c. Approved sign standards are illustrated in Exhibit D, Wall Sign Specifications and Monument Sign Elevations.

Nonresidential Phase (PD-T5-c) Conditions:

1. Each restaurant with a drive-through lane must provide at least 150 sf of outdoor dining space.
2. For buildings located at public street corners (on Tracts 1 and 4):
 - a. The building must have a parapet or vertical roof element that is at least 3' higher than the top of parapet height or roof height.
 - b. The length of the parapet or roof element must be at least 15% of the length of the façade on the side of the building that has the main entrance.
3. Multi-tenant project signs may not exceed 25' in height.
4. Development must achieve substantial compliance with the approved plans shown in Exhibits B, C, and D.
5. The Planning Director is authorized to approve minor changes. Substantial changes require approval by City Council.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 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 was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 21st day of January, 2016.

PASSED AND APPROVED on Second Reading on the 4th day of February, 2016.

THE CITY OF TEMPLE, TEXAS



DANIEL A. DUNN, Mayor

ATTEST:



Lacy Borgeson
City Secretary



APPROVED AS TO FORM:



Kayla Landeros
City Attorney

Exhibit B: Site/Landscaping Plan



OVERALL MASTER PLAN

31st and Scott Boulevard
Temple, Texas

Job #: 14243.00
File Name: SP-9 Overall.psd
Date: 12.01.2015
Drawn by: JWW

HIGHLINE
REAL ESTATE GROUP

gff ARCHITECTS

2804 Fairmount Street, Suite 300
Dallas, Texas 75201 | 214.303.1900
3300 West 7th Street, Suite 110
Fort Worth, Texas 76107 | 817.293.1500

Exhibit C: Apartment Elevations



TYPICAL APARTMENT BUILDING SIDE VIEW

E-7



TYPICAL APARTMENT BUILDING FRONT VIEW

ARYA TEMPLE APARTMENTS

Mucasey & Associates, Architects
November 17, 2015

Exhibit C: Apartment Elevations

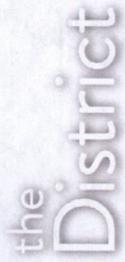


E-8

AMENITY CENTER FRONT ELEVATION

Arya Temple Apartments
Mucasey & Associates, Architects
December 1, 2015

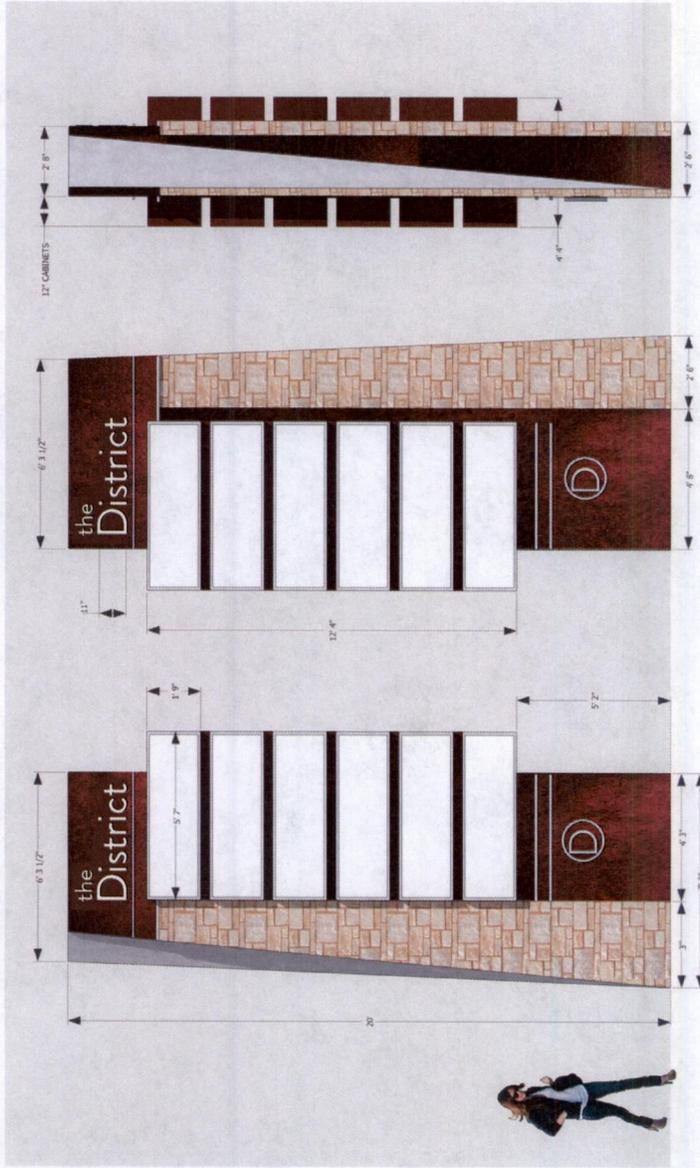
Exhibit D: Monument Sign Elevations



B SECONDARY PYLONS
SCALE: 1/4"

Fabricate and install two (2) Primary Pylons built to UL specifications;

- Welded tubular steel framework with .090 aluminum plate;
- Dual Steel supports set in 3000psi concrete to grade;
- Tenant Cabinets finished in Matthews brushed aluminum polyurethane; lamped with high output fluorescents; Faces to be white #7328 plex overlaid with 3M™ translucent vinyls per client;
- Austin White Limestone veneer over pole covers;
- [the District] to routed-out and backed with #7328 white plex; White High Output fluorescent lamping;
- Square tubular aluminum accent-rails and logo finished MP brushed aluminum;
- Matthews Corten-steel finish on faces/side walls;
- Electrical requirement: 120V to be supplied at sign site by others;



E-10



LEXINGTON HILLS
2430 CROWWELL DR.
AUSTIN, TEXAS 78741

Start Date: 7/18/15
Last Revision:
Job #: 927/059
Drawing #: 927/059b/151

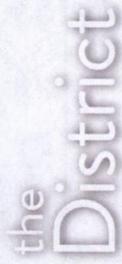
Design Rep.
BEN ANGLIN
Sales Rep.
BOB STROBECK

CLIENT APPROVAL	APPROVE: _____ DATE: _____
LANDLORD APPROVAL	APPROVE: _____ DATE: _____

NO.	DATE	REVISIONS
1	MM/DD/YY	REMARKS
2	/ /	
3	/ /	
4	/ /	
5	/ /	

B 001

Exhibit D: Monument Sign Elevations



PAD MONUMENT
SCALE: 1/2"

Fabricate and install two (4) Pad Monuments built to JIC specifications;

- Welded tubular steel framework with .090 aluminum plate;
- Dual Steel supports set in 3000psi concrete to grade;
- Tenant Cabinets to have reverse-pan faces (.090) aluminum finished in Matthews white, and overlaid with 3M[™] opaque vinyls per client;
- Two monuments to have single-user faces, and two monuments to have 6 panels (each side);
- Tenant Cabinets to be externally illuminated w/ Gooseneck lamps (x4 per monuments);
- Austin White Limestone veneer over pole covers and planter-base;
- (the District) to be face-lit channel letters w/ #7328 white plexifaces and white trincapping; Sidewalls finished MP black; White LED Illumination; Letters flush mount to cabinet;
- Square tubular aluminum accent-rails and .25" routed letters finished MP brushed aluminum;
- Matthews Corten-steel finish on cabinet sidewalls and pole cover (inner section);
- Electrical requirement: 120v to be supplied at sign site by others;



NOTE: DUE TO MONITOR AND PRINTER SETTINGS, COLORS SHOWN ARE APPROXIMATIONS ONLY. PLEASE REFER TO MANUFACTURER'S SAMPLES AND PANTONE CHART FOR ACCURATE COLOR REPRESENTATION.

		Start Date: 7/18/15 Last Revision: Job#-9227059 Drawing #9227059Rev151		Design Rep. BEN ANGLIN Sales Rep. BOB STROBECK		CLIENT APPROVAL: _____ DATE: _____ LANDLORD APPROVAL: _____ DATE: _____		REVISIONS REMARKS	
1	MIDDY	1	1	1	1	1	1	1	1
2		2	2	2	2	2	2	2	2
3		3	3	3	3	3	3	3	3
4		4	4	4	4	4	4	4	4
5		5	5	5	5	5	5	5	5

100 0



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

09/19/16
Item 3
Regular Agenda
Page 1 of 5

APPLICANT / DEVELOPMENT: Joseph O'Rourke, Rising Sun RV Rental; Owner Chris McGregor

CASE MANAGER: Lynn Barrett, Assistant Director

ITEM DESCRIPTION: Z-FY-16-46 Hold a public hearing to discuss and recommend action on a rezoning from Commercial (C) to Planned Development Commercial (PD-C) in the I-35 Corridor Overlay District to allow for an RV rental business (classified in Sec. 6.7 of the Unified Development Code as "Trailer, recreational vehicle, portable building or HUD-Code manufactured home sales or rental") on Lot 2, Block 1, Tranum Subdivision Phase VIII, located at 5806 South General Bruce Drive.



Figure 1: Aerial Location Map

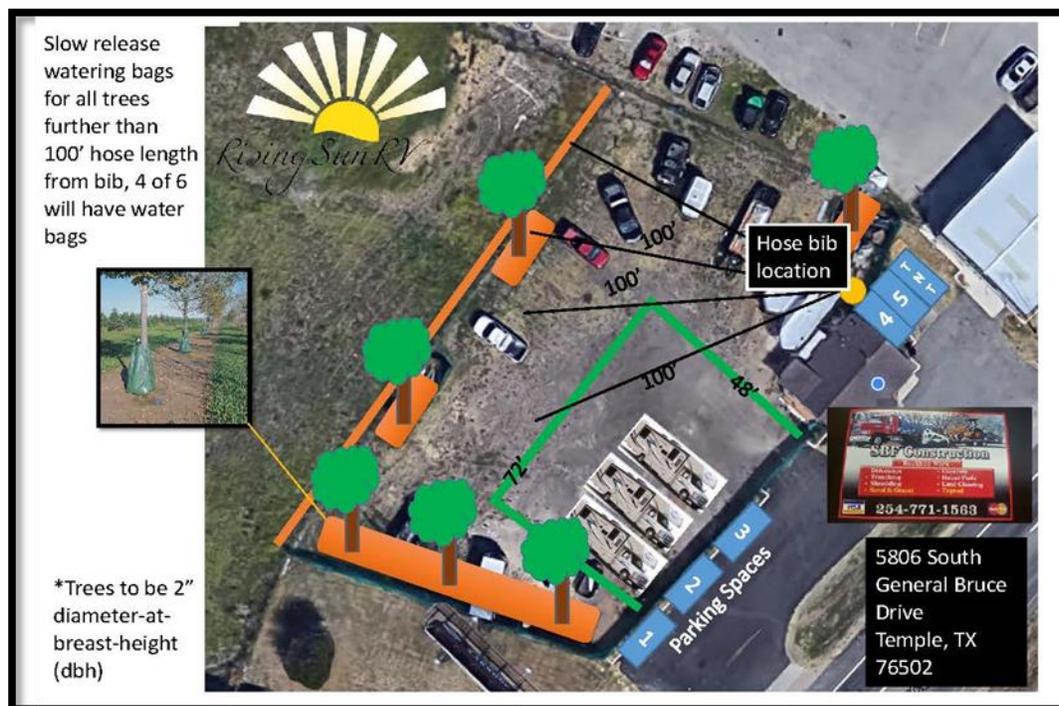


Figure 2: Applicant's Submitted Site Plan

STAFF RECOMMENDATION: Based on the following realities with this project:

1. City staff became involved with this project after the applicant's business was established at the site in violation of UDC zoning for the I-35 Corridor District;
2. Staff had worked for several months with the applicant to attempt a balanced approach to achieve site improvements while finding a solution which would allow the business to continue; and
3. The scope of the project has been changed by the applicant beyond the original understanding by staff, which includes the following:
 - a. RV and "5th wheel" inventory is already onsite and continues to expand;
 - b. Current inventory (see attached photos) far exceeds area of proposed paving and appears to not allow enough space for proposed trees; and
 - c. Signage has been recently installed without a permit despite clear communication between staff and applicant.

Staff cannot recommend approval of the requested rezoning to PD unless all of the following conditions are met:

1. The proposed paved area for the RVs, required by UDC Sec 7.5.5C, (chip-seal asphalt has been proposed by the applicant), shall be enlarged to fit inside the entire fenced RV area, bordered by the landscaped islands and six trees as shown on the site plan, which will match the RV inventory stored on site;
2. All six trees, minimum two inch caliper at breast height, are required to have slow release watering bags;
3. No RV storage shall be allowed outside of the screened and paved project area, including the unimproved lot bordering Profit Place which is currently being used as overflow RV parking by the applicant;
4. The torn screening on the chain link fence facing the Access Road shall be replaced;
5. All signage erected without a permit shall be removed, and no signage shall be allowed unless and until a sign permit for that signage has been issued by the City of Temple; and
6. Non-compliance of any one of the above conditions will trigger the repeal of the PD on the property and the requirement for the applicant to relocate the RV rental business from the property.

ITEM SUMMARY: 5806 S. General Bruce Drive currently has a base zoning of C (Commercial District), which allows recreational vehicle rentals use by right. However, the I-35 Corridor Overlay Freeway Retail/Commercial sub-district specifically prohibits “Trailer, recreational vehicle, portable building or HUD-Code manufactured home sales or rental”. The business owner of Rising Sun RV Rental was allowed to sign a lease by the property owner and had set up his business prior to meeting with staff. Efforts to work with the business owner to improve the surface for parking the applicant’s RV’s (behind an existing fence screened by 40% landscaping per a 2014 CUP--Ordinance 2014-4669 for a nursery and subsequent 2015 CUP for a painting/contractor facility) and to add additional landscaping surrounding the leased area have continued over the past several months. Initial scope of the project was understood by staff to be considerably smaller than what has since unfolded with the applicant’s current onsite inventory. Additionally, a roof sign was added by the applicant to the existing office building prior to the application of a permit. Roof signs are prohibited in the I-35 Corridor Overlay District and it is staff’s understanding that Code Enforcement has made contact with the applicant about the infraction.

City Council had previously approved a CUP for an auto tint business (Ordinance 2016-4757 from case Z-FY-16-11) inside a building on this property which is under separate lease to a different applicant and is not a part of this project.

Three CUP’s in the last three years have been approved on this property.

- Landscaping is planted to screen parking and minimum of 40 percent of the existing I-35 facing chain-link fence

- Subsequent CUP required paving additional parking and drive
- Auto window tinting use (Ordinance 2016-4757) would remain
- On-site parking would be sufficient (5 spaces for RV use and one for window tinting per previous CUP)

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:

Surrounding Property & Uses			
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	C	Commercial
North	Auto-Urban Commercial	C	Commercial
South	Auto-Urban Commercial	C	Commercial
East	Auto-Urban Commercial	LI and GR	Commercial
West	Auto-Urban Commercial	C	Vacant

COMPREHENSIVE PLAN COMPLIANCE:

The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan:

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City’s infrastructure and public service capacities	Yes

CP = Comprehensive Plan

Future Land Use Map (CP Map 3.1)

The entire area is shown as Auto-Urban Commercial. According to the Comprehensive Plan, “Auto-Urban Commercial” is for the majority of the areas identified for commercial use, generally concentrated at intersections versus strip development along the major roads.”

Thoroughfare Plan (CP Map 5.2)

The site is located along an Expressway (IH-35).

Availability of Public Facilities (CP Goal 4.1)

An 8” water line and a 6” sewer line is available to the rear. A 6” water line and an 8” sewer line are available to the front of the property.

REVIEW CRITERIA **Planned Development:** UDC Section 3.4.1 defines a Planned Development as: “A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.”

As a Planned Development, a Development Plan is subject to review and approval as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance. **Enhancements are normally an expectation of a Planned Development to off-set the unique manner of the request, and as such, addition of paving of the entire area inside the fence and additional landscaping are recommended.**

Per UDC Section 3.4.2C, the City Council may include additional conditions of approval into the rezoning ordinance.

In considering recommending a Planned Development, Planning and Zoning Commission may choose to suggest, and the City Council may require, additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light and air, orientation, building coverage, outdoor lighting, landscaping, homeowners or property owners associations, open space, topography and screening.

PUBLIC NOTICE: Nine notices of the public hearing were sent out to property owners within 200-feet of the subject property. As of Thursday September 15, 2016, zero (0) notices had been returned. The newspaper printed notice of the Planning and Zoning Commission public hearing on September 8, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Application	Notification Map
Aerial Location Map	Site Development Plan
Photos	Ordinance No. 2014-4669 (CUP-Z-FY-14-28)
Zoning Map	Ordinance No. 2015-4713 (CUP-Z-FY-15-14)
Future Land Use Map	Ordinance No. 2016-4757 (CUP-Z-FY-16-11)

City of Temple Universal Application

Rev. 06-04-15

(Incomplete applications will not be accepted)

- Sketch Plan
- Plat Vacation
- Minor or Amending Plat
- Preliminary Plat
- Final Plat
- Variance (Board of Adjustment)
- Abandonment

- Rezoning
- Conditional Use Permit (CUP)
- Planned Development (PD)**
- PD Site Plan
- I-35 Appeal
- I-35 Site Plan Review
- TMED Site Plan Review**
- TMED Variances/Warrants

- Appeal of Administrative Decision
- Residential Masonry Exception
- Nonresidential Masonry Exception
- Park, Facility or Street Renaming
- Cost Sharing Offsite Participation
- Exception
- Street Use License (SUL)
- 1st and 3rd Overlay Appeal

PROJECT INFORMATION:

Residential Commercial Property Platted Property Not Platted ETJ

Project Name: RV Rentals Parcel(s) Tax ID# (Required): 32040287271

Project Address (Location): 5806 South General Bruce Drive, Temple TX Total Acres: _____

Lot: 1 Block: 1 Subdivision: None

Cabinet #: B Slide #: 1. 46-A

Outblock (if not platted): _____

Brief Description of Project: Chipseal Asphalt to accommodate RV's

Current Zoning _____ # of Existing Lots 1 # of Existing Units _____

Proposed Zoning _____ # of Proposed Lots _____ # of Proposed Units _____

APPLICANT / CONTACT INFORMATION: (This will be the primary contact; please ensure email address is legible)

Name: Joseph O'Rourke Company Name: Risingsunrv

Address: 5806 South General Bruce Drive City: Temple State: TX Zip: 76502

Phone: 2546306313 Cell #: 2542399938 Fax #: _____

Email Address: Joseph@risingsunrv.com

PROPERTY OWNER INFORMATION:

Name: Chris McGregor Company Name: Chris McGregor

Address: 2806 Wichersham Drive City: Temple State: tx Zip: 76502

Phone: 2547707262 Cell #: 2547707262 Fax #: _____

Email Address: Mcchecker05@aol.com

DEVELOPER ENGINEER SURVEYOR INFORMATION: (Please ensure email address is legible)

Name: Scott Farr Company Name: SBF Construction

Address: 7350 East US HWY 190 City: Temple State: TX Zip: 76502

Phone: 2547711563 Cell #: 2547711563 Fax #: _____

Email Address: Farroutdoors@gmail.com

VARIANCE / EXCEPTION / APPEAL DESCRIPTION: (Attach additional page if additional space is required)

Submittal Requirements <i>All Checklists are available on Planning Applications webpage</i>	All Plats	CUP & PD	Rezoning	Sketch Plan	I-35	I-35 Appeal	TMED	TMED Variance/Warrant	ZBA Variance	Masonry Exception	Appeal of Administrative Decision	Abandonment	Street Use License (SUL)
Complete Universal Application	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Utility Providers-see attached link http://www.templetx.gov/DocumentCenter/View/2920	✓												
Electronic copy (PDF) of all required materials submitted as hard copies (must be legible)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hard Copies for all submittals	5	2	1	5	2	2	2	2	1	1	1	1	1
Field Notes (<i>signed and stamped</i>) or Lot and Block Description	✓	✓	✓		✓	✓	✓	✓	✓		1	✓	✓
Site Plan Checklist		✓			✓	✓	✓	✓	*				
Plat Checklist	✓			✓									
I-35 Checklist					✓	✓							
TMED Checklist							✓	✓					
Abandonment Checklist												✓	
SUL Checklist													✓
Scaled Site Plan		✓			✓	✓	✓	✓	✓	✓	*		✓
Drainage Letter or Drainage Report (for residential subdivisions)	✓												
Elevations		✓			✓	*	✓	*		✓			
Landscape Plan					*	*	*	*					
Lighting Plan					*	*	*	*					
Fee	✓	✓	✓	NA	NA	NA	NA	NA	✓	NA	NA	✓	✓
Survey												✓	✓
Broker's Opinion of Value or Appraisal R-O-W abandonment ONLY												✓	

*May be required depending on nature of Appeal/Variance

Total valuation of proposed improvements for project in 1st & 3rd/TMED/I-35: \$ 153,000

FEE SCHEDULE

- Abandonment (3rd Party Broker's Opinion or Appraisal) Board of Adjustment (Variance) \$100.00 for filing fee only; (3rd Party Broker's Opinion or Appraisal fee will be Applicant's responsibility) \$ 75.00
- *Preliminary/Final Plat (MUST meet with a planner prior to submittal of request) \$150.00 + \$3.00/lot (residential) or \$10.00/acre (nonresidential)
- Street Use License (SUL) \$150.00 (renewed every 15 years)
- *Rezoning/CUP/PD Site Plan \$150.00 + \$3.00/acre (to match Ordinance No. 1948)

REC'D
AUG 18
City of Temple
Planning & Development

*The filing fee for a piece of property that is 3.125 acres in size would be a total of \$159.36 (\$150 + [\$3 x 3.12]). City staff uses the second decimal place when calculating a filing fee and **does not round up or down.**

BY SIGNING THIS APPLICATION, STAFF IS GRANTED ACCESS TO YOUR PROPERTY FOR SIGN POSTING AND PROPERTY ANALYSIS PURPOSES.

APPLICANT SIGNATURE: [Signature]
Print or Type Name: Joseph O'Rourke

(property owner authorization required below if applicant is someone other than property owner)
I (property owner) hereby authorize Chris McGregor of Chris McGregor
(name) (company (if applicable))

to represent me in matters pertaining to this case.

Property owner's signature: [Signature]
Property owner's name (print): Chris McGregor

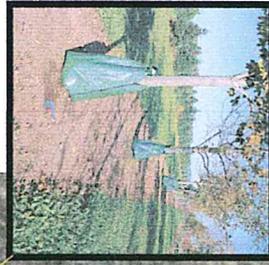
Property owner's address: 28060 Whichersham Drive, Temple TX 76502

Property owner's phone#: 2547707262

Email address: mcchecker05@aol.com

For Department Use Only	
Project #:	_____
Project Manager:	_____
Total Fee(s):	_____
Fee Credit:	_____
Payment Method:	_____
Submittal Date:	_____
Accepted By:	_____
Accepted Date:	_____

Slow Watering
Tree bags, for
trees beyond
100' from water
bip.



2023-2024
2025-2026
2027-2028
2029-2030

Aerial Location Map

5806 S General Bruce Drive Z-FY-16-46



Site Photos



Front View



To the East Across I-35



To the North



To the South

Google earth



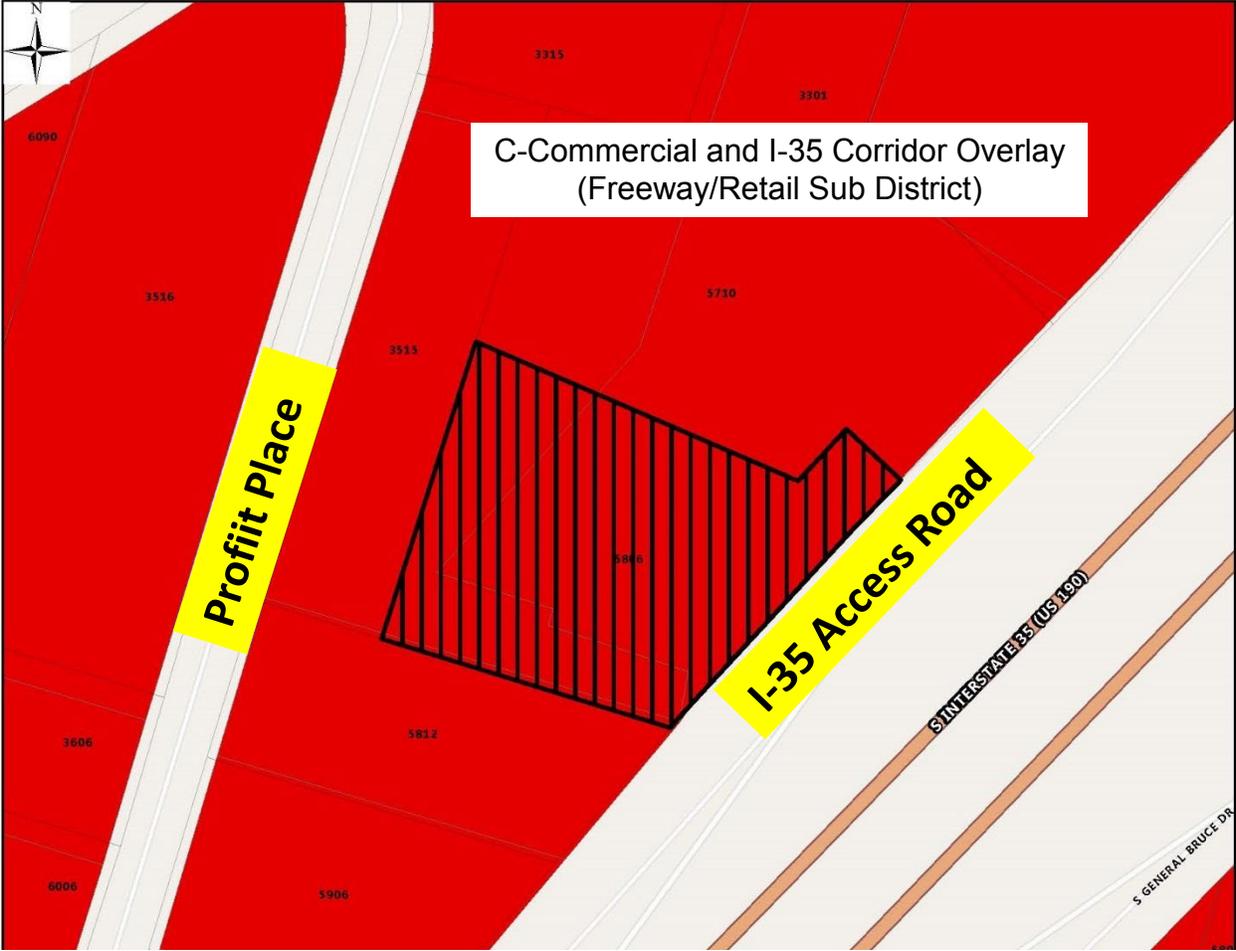
To the West



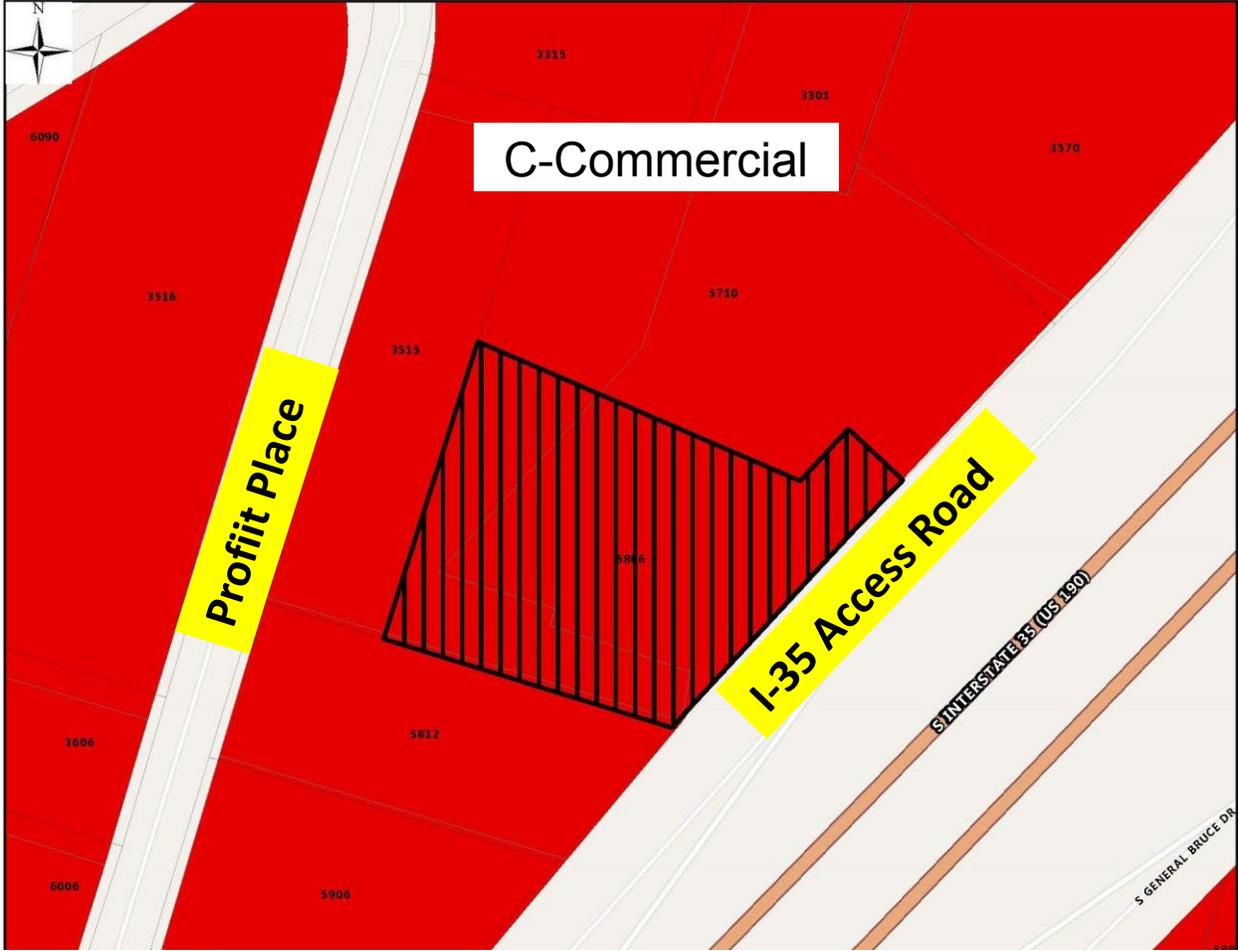
View From the West looking toward the property from Profit Place



Zoning= C-Commercial (in I-35 Corridor Overlay)



Future Land Use = C-Commercial





C-CUP TO PD-C-CUP

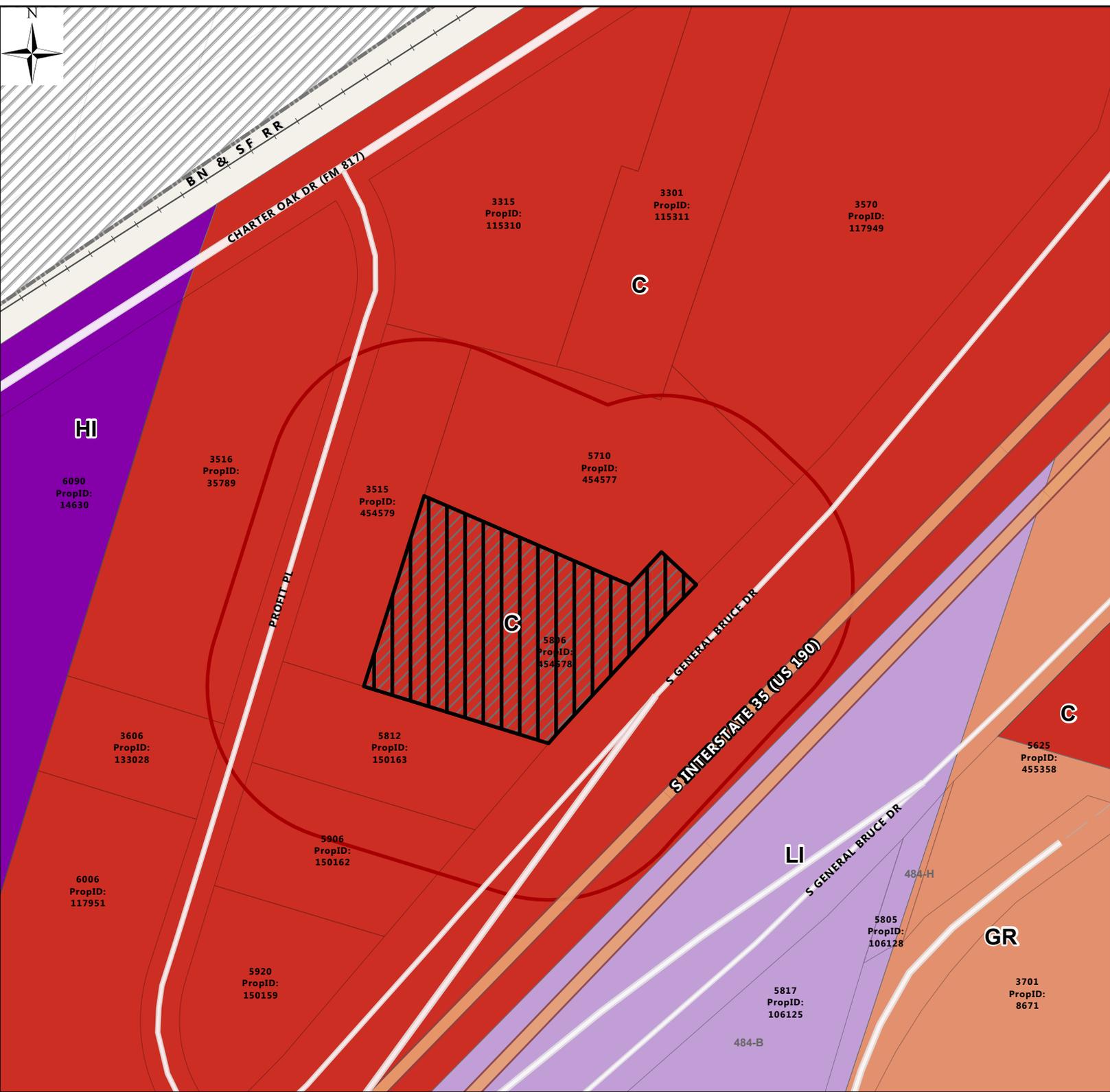
200' NOTIFICATION MAP

Zoning Case :

Z-FY-16-46

Address :

5806 S General Bruce Dr



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

Irbarrett

Date: 8/29/2016



Slow release watering bags for all trees further than 100' hose length from bib, 4 of 6 will have water bags



*Trees to be 2" diameter-at-breast-height (dbh)

SBF Construction
Backhoe Work

- Driveways
- Trenching
- Shredding
- Sand & Gravel
- Concrete
- House Pads
- Land Clearing
- Topsoil

VISA 254-771-1563 MasterCard

5806 South General Bruce Drive
Temple, TX 76502

ORDINANCE NO. 2014-4669

(PLANNING NO. Z-FY-14-28)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR A RETAIL NURSERY/LANDSCAPE FACILITY ON LOT 2, BLOCK 1, TRANUM SUBDIVISION, PHASE VIII, LOCATED AT 5806 SOUTH GENERAL BRUCE DRIVE; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, operation and location of property described as lot 2, block 1, Tranum Subdivision. Phase VIII, located at 5806 South General Bruce Drive, recommends that the City Council approve the application for this Conditional Use Permit for a retail nursery/landscape facility; and

Whereas, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans for operation of said establishment and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

Part 1: The City Council approves a Conditional Use Permit to allow retail nursery/landscape facility on lot 2, block 1, Tranum Subdivision. Phase VIII, located at 5806 South General Bruce Drive, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The owner/applicant, his employees, lessees, agents or representatives, hereinafter called "permittee" shall comply with the following developmental standards and conditions of operation:

- A. Landscaping is planted to screen parking and a minimum of 40 percent of the existing I-35 facing chain-link fence;

- B. No portable buildings or other items considered to be non-landscaping related or accessories that are stored outdoors are sold; and
- C. That the Director of Planning is authorized to work with the applicant on what is deemed adequate parking.

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

Part 4: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 15th day of May, 2014.

PASSED AND APPROVED on Second Reading on the 5th day of June, 2014.

THE CITY OF TEMPLE, TEXAS



DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:



Jonathan Graham
City Attorney

ATTEST:



Lacy Borgeson
City Secretary



ORDINANCE NO. 2015-4713
(Z-FY-15-14)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REPEALING ORDINANCE NO. 2014-4669 AND APPROVING A CONDITIONAL USE PERMIT FOR A PAINT SHOP/GENERAL CONTRACTOR FACILITY ON LOT 2, BLOCK 1, TRANUM SUBDIVISION, PHASE VIII, LOCATED AT 5806 SOUTH GENERAL BRUCE DRIVE; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on June 5, 2014, City Council passed Ordinance No. 2014-4669 which approved a conditional use permit to allow a retail nursery/landscape facility located at 5806 South General Bruce Drive;

Whereas, the retail nursery/landscape company never occupied the space and staff recommends that Ordinance No. 2014-4669 be repealed since there is a new site plan for this space;

Whereas, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, operation and location of property described as lot 2, block 1, Trantum Subdivision, Phase VIII, located at 5806 South General Bruce Drive, recommends that the City Council approve the application for this Conditional Use Permit for a paint shop/general contractor facility; and

Whereas, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans for operation of said establishment and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

Part 1: The City Council approves a Conditional Use Permit for a paint shop/general contractor facility and an associated Site Plan on lot 2, block 1, Trnum Subdivision, Phase VIII, located at 5806 South General Bruce Drive, more fully described in Exhibit A (Site Plan), attached hereto and made a part hereof for all purposes with the following conditions:

1. Painting is prohibited on-site;
2. Ordinance No. 2014-4669 which allowed a retail nursery/landscape facility on the property is repealed;
3. This CUP expires when the current tenant (the tenant occupying the property as of June 4, 2015) discontinues use of the property as a paint shop/general contractor facility;
4. Landscaping must be planted to screen a minimum of 40% of the existing I-35 facing chain-link fence;
5. Owner of the property must obtain a permit for and pave the remaining gravel area in the front of the property to ensure compliance with Unified Development Code parking, driveway and approach standards and as shown on the attached Site Plan; and
6. Vehicle parking is prohibited on any surface unless the surface is asphalt or concrete.

Part 2: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

Part 3: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

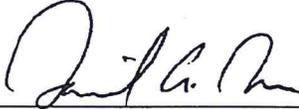
Part 5: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the 7th day of May, 2015.

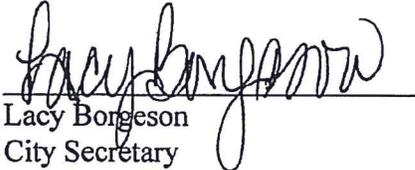
PASSED AND APPROVED on Second Reading on the 4th day of June, 2015.

THE CITY OF TEMPLE, TEXAS



DANIEL A. DUNN, Mayor

ATTEST:


Lacy Borgeson
City Secretary

APPROVED AS TO FORM:


Kayla Landeros
City Attorney

ORDINANCE NO. 2016-4757

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR AN INDOOR AUTOMOTIVE WINDOW TINTING FACILITY ON LOT 2, BLOCK 1, TRANUM SUBDIVISION, PHASE VIII, LOCATED AT 5806 SOUTH GENERAL BRUCE DRIVE; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, operation and location of property described as lot 2, block 1, Trantum Subdivision, Phase VIII, located at 5806 South General Bruce Drive, recommends that the City Council approve the application for this Conditional Use Permit for an indoor automotive window tinting facility; and

Whereas, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans for operation of said establishment and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

Part 1: The City Council approves a Conditional Use Permit for an indoor automotive window tinting facility on lot 2, block 1, Trantum Subdivision, Phase VIII, located at 5806 South General Bruce Drive, more fully described in Exhibit A (Site Plan), attached hereto and made a part hereof for all purposes subject to the following conditions (1) all window tinting operations must be fully enclosed within the existing 2,025 square foot warehouse building; and (2) no more than one employee is allowed to park outside of the warehouse building, all other employee parking must be within the existing warehouse building.

Part 2: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map.

Part 3: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 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 Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 3rd day of **March**, 2016.

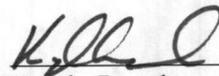
PASSED AND APPROVED on Second Reading on the 17th day of **March**, 2016.

THE CITY OF TEMPLE, TEXAS



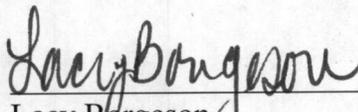
DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:



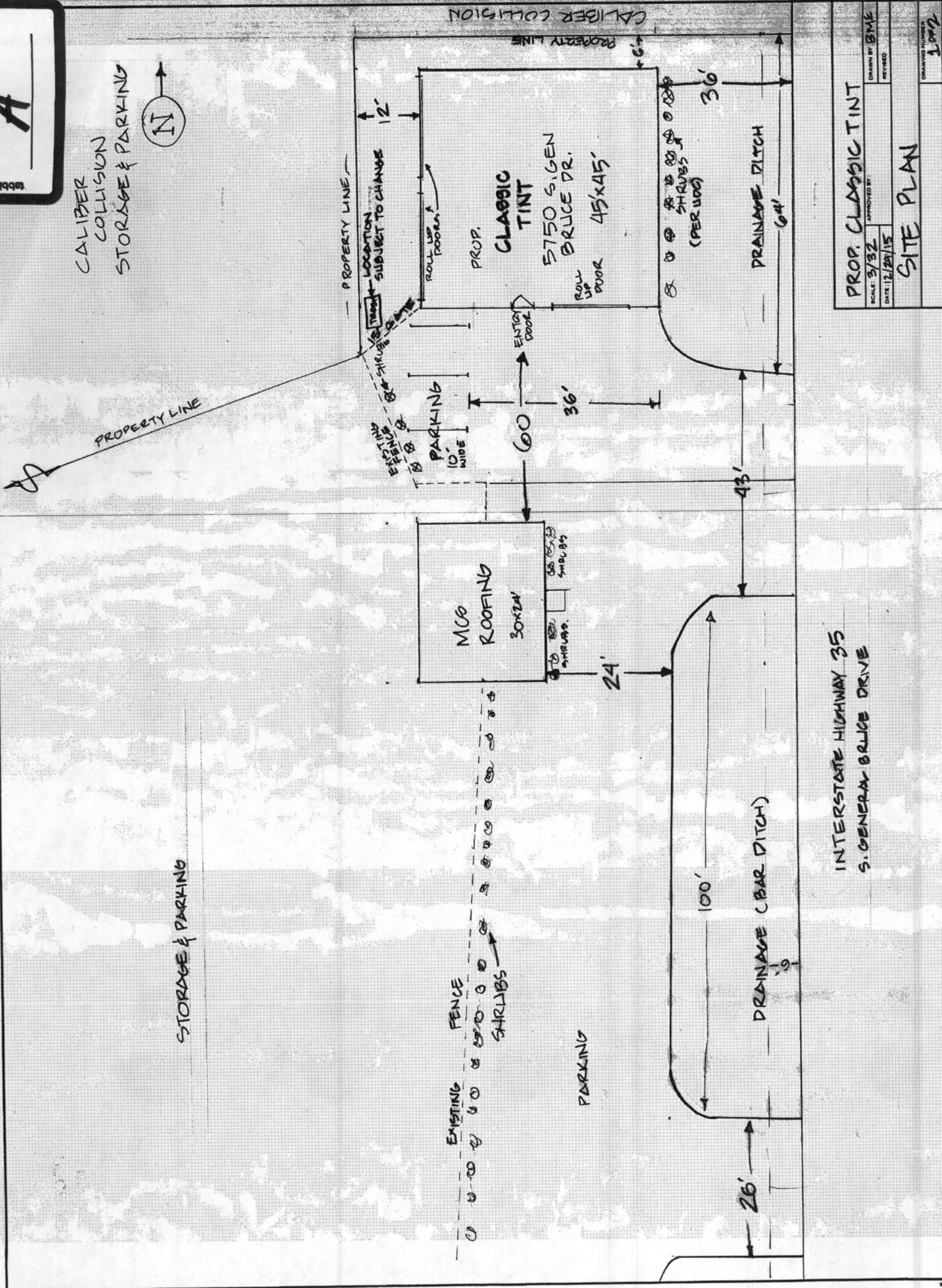
Kayla Landeros
City Attorney

ATTEST:



Lacy Borgeson
City Secretary

CALIBER COLLISION STORAGE & PARKING



INTERSTATE HIGHWAY 35
S. GENERAL BRUCE DRIVE

PROP. CLASSIC TINT	
SCALE: 3/32	APPROVED BY:
DATE: 12/20/15	REVIEWED:
SITE PLAN	
DRAWING NUMBER:	1002



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

09/19/16
Item #4
Regular Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: All County Surveying (On behalf of Jon & Laresa Trusty)

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: P-FY-16-47 Consider and take action on the Final Plat of Trusty Addition, a 3.356 +/- acres, 2-Lot, 1-Block, residential subdivision, situated in the Nancy Chance Survey, Abstract 5, Bell County, Texas, located in Temple's southwestern ETJ, east of Riverside Trail, west of Tem Bel Lane and addressed as 6319 Kiddieland Road.

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

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Trusty Addition, subdivision on August 25, 2016. It was deemed administratively complete on September 13, 2016. The property is within the City of Temple's southwestern Extra Territorial Jurisdiction (ETJ) and therefore has no zoning designation for the property. Following City consideration of the plat, a separate subdivision plat is required to be submitted and reviewed by Bell County.

Water is available through an 8-inch waterline in Kiddieland Road. Since there is no sewer line available, on-site septic is provided to the property.

The property's access is from Kiddieland Road, a local street. While no trails have been identified in the Master Trails Plan, a park fee of \$225.00 is required, prior to the recordation of the plat for each newly-proposed residential dwelling.

Although this plat is proposing two separate lots, frequently an administrative approval process, Planning and Zoning Commission's review is being required by the dedication of right-of-way (ROW) along Kiddieland Road. The needed ROW varies between 1.36 feet and 4.80 feet along specific callouts on the property's frontage of Kiddieland Road and is shown on the plat.

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

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- A. Vicinity Map (ETJ)
- B. Site & Aerial Photos
- C. Final Plat
- D. Topo & Utility Plan

Site & Aerial Photos



Site (Street View – Looking East) Developed with Existing Residence



Aerial – Developed with Existing Residential Uses on Acreage

B-1

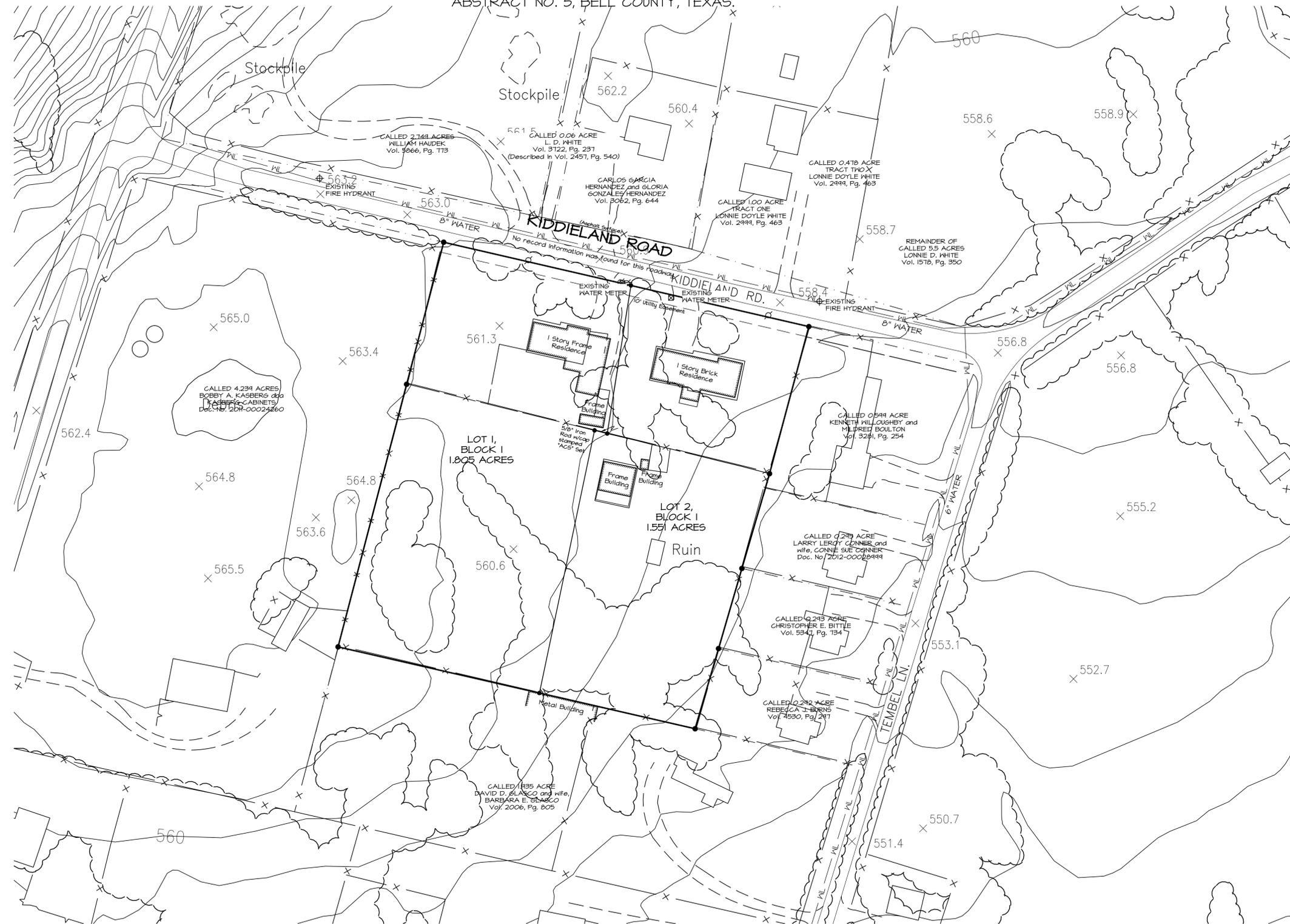
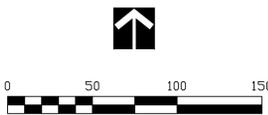
TOPOGRAPHY & UTILITY LAYOUT of
TRUSTY ADDITION
 A SUBDIVISION WITHIN THE E.T.J. OF THE CITY OF TEMPLE, BELL
 COUNTY, TEXAS, BEING A PORTION OF THE NANCY CHANCE SURVEY,
 ABSTRACT NO. 5, BELL COUNTY, TEXAS.

OWNERS:

JON & LARESA TRUSTY
 6319 KIDDIELAND ROAD
 TEMPLE, TEXAS 76502

TERESA LYNN RUSH & LARESA
 ANN TRUSTY, CO-INDEPENDENT
 EXECUTOR OF THE ESTATE OF
 GWENDOLYN MILES
 6315 KIDDIELAND ROAD
 TEMPLE, TEXAS 76502

LOTS - TWO (2)
 BLOCKS - ONE (1)
 AREA - 3.356 ACRES



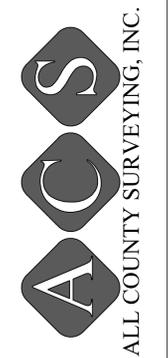
D-1

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 122. The theta angle at City Monument No. 122 is 01° 30' 14". The combined correction factor (CCF) is 0.999857. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 122 to the northwest corner of this 3.356 Acre tract is N 14°18'11" W 3123.94 feet. Published City coordinates for project reference point 122 are N = 10,367,918.25 E = 3,210,425.21.

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48021C0335E, dated September 26, 2008, the above shown property does not appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

TOPOGRAPHY & UTILITY LAYOUT of
TRUSTY ADDITION
 A SUBDIVISION WITHIN THE E.T.J. OF THE
 CITY OF TEMPLE, BELL COUNTY, TEXAS

1303 South 21st Street
 Temple, Texas 76504
 254-778-2212, Killeen 254-634-4636
 Fax 254-774-1608
 Tx. Firm Lic. No. 10023600



Plot Date: 06-04-2016
 Survey Completed: 06-24-2016
 Scale: 1" = 50'
 Job No.: 160496
 Dwg No.: 160446T
 Drawn by: MDH
 Surveyor: CCL #4636



PLANNING AND ZONING COMMISSION AGENDA ITEM

09/19/16
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-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 09/06/16	Mark Rendon	Tammy
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	DRC 2/25/16 Awaiting response to Post-DRC comments	All County Surveying	Mark
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.	Waiting on Applicant's response to Post-DRC comments	All County Surveying	Dessie
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.	2 nd DRC 9/19/16	Clark & Fuller	Tammy

Future Commission Projects	Status	Applicant	Project Mgr.
<p>P-FY-16-44 - Consider and take action on the Preliminary Plat of Legacy Ranch Phase II, an 89.09 +/- acres, 139 lot, 1-block, residential subdivision, being part of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at the intersection north of FM 93 and west of South 31st Street, 6400 S. 31st Street.</p>	<p>Waiting for revisions from Post-DRC comments</p>	<p>Clark & Fuller</p>	<p>Dessie</p>
<p>P-FY-16-45 - Consider and take action on the Amending/Minor Plat of Barnhardt Subdivision, a 7.00 +/- acres, 2-lots, 1-block, residential subdivision, being part of the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located in Temple's Southeastern ETJ, at the southeast corner of the intersection of Barnhardt Road and State Highway 95.</p>	<p>DRC 08/22/16 Awaiting applicant response to DRC Comments (possible exception for ROW dedication)</p>	<p>Ron Carroll</p>	<p>Mark</p>
<p>P-FY-16-48 - Consider and take action on the Final Plat of R.L.R. Addition, a 6.730 +/- acres, 1-lot, 1-block, non-residential subdivision, situated in the R.C. Moore Survey Abstract 581, Bell County Texas, north of Industrial Boulevard, east of Lucius McCelvey and west of Range Road, 3301 Lucius McCelvey.</p>	<p>DRC 08/22/16 Awaiting response to DRC Comments</p>	<p>All County Surveying</p>	<p>Mark</p>
<p>P-FY-16-49 - Consider and take action on the Final Plat of Wapiti Business Park, a 1.094 +/- acres, 1-lot, 1-block, non-residential subdivision, situated in the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, south of Adams Lane and north of West Adams Avenue (FM 2305), 9108 Adams Lane.</p>	<p>Waiting for abandonment to go through process to add document number to plat</p>	<p>All County Surveying</p>	<p>Dessie</p>
<p>P-FY-16-50 - Consider and take action on the Final Plat of Motsco Addition, a 2-lots, 1 block non-residential subdivision, being a part of the Azariah G. Moore Survey, Abstract No. 596, Bell County, Texas, located west of I-35 frontage road, south of West Nugent Avenue and east of North 31st Street, 1118 North 31st Street.</p>	<p>DRC 09/06/16</p>	<p>Scott Motsinger on behalf of Central Realty Partners</p>	<p>Tammy</p>
<p>P-FY-16-51 - Consider and take action on the Final Plat of Hidden Creek, a 17.00 +/- acres, 6-lots, 1-block, residential subdivision, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located in Temple's southern ETJ, at the southwestern corner of the intersection of FM 93 and Hartrick Bluff Road.</p>	<p>DRC 09/06/16</p>	<p>Chris Hodges</p>	<p>Tammy</p>

Future Commission Projects	Status	Applicant	Project Mgr.
P-FY-16-52 - Consider and take action on the Final Plat of Bluebonnet Ridge Estates, Phase II, a 6.00 +/- acres, 2-lots, 1-block residential subdivision, being all of Tract 5, Bluebonnet Ridge Estates, Bell County, Texas, located west of Old Waco Road, north of Poison Oak Road, 1930 Old Waco Road.	Waiting on mylars	All County Surveying	Dessie
P-FY-16-53 - Consider and take action on the Final Plat of Park Ridge Subdivision, a 5.88 +/- acre, 12-lot, 1-block residential subdivision, situated in the Mary Cherry Survey, Abstract No. 175, Bell County, Texas, located south of White Oak Drive, north of Lions Park Drive, and west of Hickory Road, 4516 Hickory Road.	DRC 09/06/16 Awaiting applicant responses to DRC	All County Surveying	Mark
P-FY-16-54 - Consider and take action on the Amending/Minor Plat of Peppermint Addition, a 1.37 +/- acres, 1-lot, 1 block, non-residential subdivision, out of the Daniel Meador Survey, Abstract No. 577, Bell County, Texas, located at 8730 Airport Road.	DRC 09/19/16	Clark & Fuller	Dessie
P-FY-16-55 - Consider and take action on the Final Plat of Andromeda Addition, a 15.662 +/- acres, 55-lots, 1-block, residential subdivision, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, located north of Jupiter Drive, and east of Old Waco Lane and Venus Drive, 6352 Jupiter Drive.	DRC 09/19/16	Turley Associates	Tammy
P-FY-16-56 - Consider and recommend actin on the Final Plat of Canyon Creek Addition, a 12.00 +/- acres, 1-lot, 1 block, non-residential subdivision, out of the Maximo Moreno Survey, Abstract No. 14, and being part of that called 82.52 +/- acres, located south of Marlandwood Road, north of Canyon Creek Drive, and west of South 5th Street, 3950 South 5th Street.	DRC 09/19/16	Tanner Consulting	Mark
Z-FY-16-47 - Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) District to Single-Family Three (SF-3) District on 15.662 +/- acres, 55-lots, 1-block residential subdivision, located at 6352 Jupiter Drive.	PZC 10/03/16	Turley Associates	Tammy

City Council Final Decisions	Status
<p>Z-FY-16-39: Consider adopting an ordinance authorizing a rezoning from Agricultural District to Commercial District, on Lots 14 & 15, Block 001, Honeycutt Subdivision, located at 7099 Airport Road.</p>	<p>APPROVED at 1st Reading on September 1, 2016</p>
<p>Z-FY-16-40: Consider adopting an ordinance authorizing a Conditional Use Permit to allow wholesale automobile auctions for dealers on Lot 1, Block 1, Wildflower Commerce Park IV, Bell County, Texas, located at 5615 SW H.K. Dodgen Loop.</p>	<p>APPROVED at 1st Reading on September 1, 2016</p>
<p>Z-FY-16-41: Consider adopting an ordinance authorizing a Conditional Use Permit to allow sales of beer and wine only, for on-premise consumption, where the gross revenue from such sales is less than 75% of the total gross revenue of the establishment, on Lot 1A, Block 1, Canyon Creek Place Section 2, located at 1710 Canyon Creek Drive, Suites B & C.</p>	<p>APPROVED at 1st Reading on September 1, 2016</p>

P&Z COMMISSION ATTENDANCE

2016															
	Jan 4	Jan 19	Feb 1	Feb 16	Mar 7	Mar 21	Apr 4	Apr 18	May 2	May 16	June 6	June 20	P	A	
Lydia Alaniz	P	P	P	P	P	P	P	P	P	P	P	P	12		
Tanya Mikeska-Reed	P	A	P	P	P	A	P	P	P	P	A	P	9	3	
Blake Pitts	A	P	P	P	A	P	A	P	P	A	P	P	8	4	
Patrick Johnson	P	P	P	A	P	P	A	P	P	A	P	A	8	4	
Omar Crisp	P	A	P	P	P	P	P	P	P	A	P	P	10	2	
David Jones	P	A	P	P	P	A	P	P	A	P	P	P	9	3	
Greg Rhoads	P	P	P	A	P	P	P	P	A	P	P	A	9	3	
Will Sears	A	A	P	P	P	A	P	P	P	P	A	P	8	4	
Lester Fettig	P	P	P	P	P	P	P	A	P	P	P	P	11	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	P	P	A	P									15	1
Tanya Mikeska-Reed														
Blake Pitts	A	P	P	A	P								11	6
Patrick Johnson	P	P	P	P	A								12	5
Omar Crisp	P	P	P	P	P								15	2
David Jones	P	A	P	P	P								13	4
Greg Rhoads	P	A	P	P	P								13	4
Will Sears	A	P	A	P	P								11	6
Lester Fettig	P	P	A	P	A								14	3
Jeremy Langley		P	P	P	P								4	

no longer a Board member