

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
PLANNING CONFERENCE ROOM
JANUARY 3, 2017, 4:30 P.M.
WORK SESSION AGENDA**

REVISED

Staff will present the following items:

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Tuesday, January 3, 2017.
2. Proposed I-35 Corridor Overlay Code Amendments Presentation.
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).

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS, 2ND FLOOR
JANUARY 3, 2017, 5:30 P.M.
REGULAR MEETING AGENDA**

1. _____ Invocation
2. _____ Pledge of Allegiance

A. CONSENT ITEMS

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

Item 1: [Approval of Minutes](#): Work session and the regular meeting of December 19, 2016.

B. ACTION ITEMS

Item 2: [North Gate Subdivision Park Exception](#) – Consider and take action on a requested exception to the Parkland Dedication Fees for North Gate Subdivision, Section 2.

Item 3: [Z-FY-17-07](#) – Hold a public hearing to consider and recommend action on a rezoning from the Single Family Three-Planned Development (SF3-PD) zoning district to the General Retail (GR) zoning district, on 0.647 +/- acres, Lots 8 & 9 and Part of Lots 10-12 & 18-20, Block 13, Hilldell Estates Subdivision, 30 & 50 S. Pea Ridge Road, Temple, Texas.

Item 4: [Z-FY-17-08](#) – Hold a public hearing to discuss and recommend action on a rezoning from Commercial (C) to Multi-Family Two (MF-2) on 34.80 +/- acres,

situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located between South 5th Street and Lowes Drive.

- Item 5:** [Z-FY-17-09](#) – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) district to Planned Development Urban Estate (PD-UE) district, with Development / Site Plan approval on 31.043 +/- acres, situated in the Sarah Fitzhenry Survey, Abstract No. 312, Bell County, Texas, located at 8260 Cedar Creek Road.
- Item 6:** [Z-FY-17-10](#) – Hold a public hearing to discuss and recommend action on a rezoning from Planned Development-Commercial (PD-C) to Planned Development-General Retail (PD-GR) on Lots 1, 2, 3 and 4, Block 33, Temple Heights Subdivision, 2015 West Avenue M and 1305 and 1307 South 41st Street.
- Item 7:** [Z-FY-17-11](#) – Hold a public hearing to discuss and recommend action on amendments to Ordinance 2010-4413, Temple Unified Development Code Section 5.1.3, “Use Table,” and Section 5.3.15, “Alcoholic Beverage Sales for On-Premise Consumption” adding a reference to the City’s Code of Ordinances, Chapter 4 “Alcoholic Beverages” and amending section 5.3.15(B) to delete unnecessary language and clarify additional standards.

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 1:00 pm on December 30, 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
DECEMBER 19, 2016
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT

Chair Greg Rhoads
Bryant Ward Omar Crisp
Lydia Alaniz Lester Fettig
Lee Armstrong David Jones
Jeremy Langley Derek Marshall

MEMBERS ABSENT:

STAFF PRESENT:

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

The agenda for this meeting was posted on the bulletin board at the Municipal Building, December 15, 2016, at 2:30 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 Rhoads called Meeting to Order at 5:32 P.M.

Invocation by Commissioner Marshall; Pledge of Allegiance by Commissioner Armstrong.

Chair Rhoads explains the three-minute time limit procedure for speaking on a case since numerous citizens were in attendance and everyone should have the opportunity to voice their comments.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of December 6, 2016.

Approved by general consent.

B. ACTION ITEMS

Item 2: Z-FY-17-02 – Hold a public hearing to consider and recommend action on a rezoning from Agricultural (AG) to Single Family-One (SF-1) and on permanent zoning upon annexation of a tract of land consisting of a total of 86.91 +/- acres proposed for Single-Family One (SF-1) District, located south of FM 93, east of Southwood Drive and west of Boutwell Road, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, in Temple's southern Extra Territorial Jurisdiction (ETJ). **Withdrawn by applicant to develop a site plan and to re-submit as a Planned Development (PD) District**

Chair Rhoads reads the description of Item 2 for the record.

Item 3: Z-FY-17-04 - Hold a public hearing to consider and recommend action on a rezoning from Two Family (2F) zoning district to Commercial (C) zoning district, Lot 4, Block 011, Temple Heights Subdivision, located at 1107 South 53rd Street, Temple, Texas.

Commissioner Armstrong informed the P&Z Commission he would be abstaining from this item.

Mr. Mark Baker, Senior Planner, stated this item is scheduled to go forward to City Council for first reading on January 19, 2017 and second reading on February 2, 2017.

Vicinity and aerial maps shown.

This request is for the rezoning of approximately 7,000 square feet, on Lot 4, Block 011, of the Temple Heights Subdivision and is being proposed for Commercial "C" zoning. It is anticipated for the expansion of the adjacent automotive-related uses.

This is the third rezoning request along South 53rd Street in four years (Ord. No. 2016-4752, and Ord. No. 2012-4518, both from the same applicant).

Zoning map shown. Commercial zoning lies to the north, west, and south, which are primarily automotive-related uses established on South 53rd Street.

The Unified Development Code (UDC) Section 4.3.18 does caution that C zoning should be on major highways, away from low and/or medium density housing. The request is in compliance.

The Future Land Use and Character Map designates the subject property as Auto-Urban Commercial which is intended for areas of commercial use, it does support the C zoning, and does allow automotive-related uses. The request is in compliance.

Both water and sewer are available along South 53rd Street as well as the alley to serve the subject property.

The Thoroughfare Plan designates South 53rd Street, West Avenue L, and West Avenue K as Local Streets.

The Comprehensive Plan “*Choices 08*”, specifically Land Use Policy No. 13, does identify commercial development at major intersections and other appropriate locations along highway frontages.

In accordance with the UDC Section 4.3.16 – Retail and Service uses are better suited for local and collector streets.

Peak Hour Trip Rates were provided to the Commission, specifically for impacts from automotive-related uses which are more intensive than 2F dwellings on Local Streets. The request is not in compliance with the Thoroughfare Plan.

Existing Land Use inventory for the surrounding area is shown and briefly discussed.

Surrounding properties include existing automotive service uses, zoned C, to the north; vacant single family use (Ordinance No. 2016-4752), zoned C, and existing automotive service uses, zoned C, to the south; existing single family uses, zoned Two Family (2F), to the west, and existing single family residential uses (owned by Faith Baptist Church) fronting on South 51st Street, zoned 2F, to the east.

Comparison chart for allowed and prohibited uses are given for 2F and C.

Current and proposed Development Standards are given. The proposed C zoning would require a 30-foot centerline for the front setback (UDC Sec. 4.4.4F.d) as opposed to the current zoning of 2F which requires a 25-foot front setback.

Per UDC Section 7.7.4 – Buffering and screening is required and may consist of either evergreen hedges composed of five-gallon plants or larger, with a planted height of six-feet on 36-inch centers or may consist of a six-foot to eight-foot high fence or wall, constructed by any number of allowed materials per UDC Section 7.7.5, such as:

Wood

Masonry

Stone or pre-cast concrete

Eighteen notices were mailed in accordance with all state and local regulations with six notices returned in agreement and zero notices in disagreement.

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

The request is not in compliance with the Thoroughfare Plan.

Staff recommends approval of the request for a rezoning from Two Family (2F) to Commercial (C).

Chair Rhoads asked if the property directly south of the subject property is owned or affiliated with Caliber Collision. Mr. Baker responded that he was uncertain of that ownership.

Chair Rhoads opened the public hearing.

Mr. Neil Wisener, 1107 South 53rd Street, Temple, Texas, stated he was the owner of Wisener Auto Clinic. It was originally Frost Automotive with the current building and the subject property. It was purchased with the intention of developing onto the existing building and growing the business.

Mr. Wisener stated they redesigned the entrance/exit to the building due to equipment improvements. The existing connex on the property is being used for tire storage.

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

Commissioner Crisp made a motion to approve Item 3, **Z-FY-17-04**, and Vice-Chair Fettig made a second.

Motion passed: (7:0:1)

Commissioner Armstrong abstained; Commissioner Ward absent

Commissioner Armstrong returns and Commissioner Ward arrives to the meeting at 5:54 p.m.

Item 4: **Z-FY-17-05** – Hold a public hearing to consider and recommend action on a rezoning from Agricultural (AG) to Planned Development-Single Family One (PD-SF-1) requiring development/site plan approval, per Unified Development Code (UDC) Section 3.4, on 15.662 +/- acres, 40-lots, 1-block, residential subdivision, situated in the Nancy Chance Survey, Abstract No. 5, located at 6352 Jupiter Drive.

Ms. Tammy Lyerly, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on January 19, 2017 and second reading on February 2, 2017.

Aerial map shown. The subject property is bordered by Jupiter Drive and to the west is Old Waco Lane and Venus Drive.

The applicant is requesting a rezoning from AG district to PD-SF-1 to allow for a single family development.

Zoning map shown.

The subject property fronts Jupiter Drive which is a proposed Collector road on the Thoroughfare Plan.

The adjacent properties are single family and rural residential, and agricultural uses.

The Future Land Use and Character Map designate the subject property as Suburban-Residential which is intended for areas of mid-sized single family lots.

Jupiter Drive is not built to Collector standards which requires a 55-foot right-of-way with 36-foot distance from back of curb to back of curb.

Currently, Jupiter Drive is not funded for improvements by the Transportation Capital Improvement Programs (T.C.I.P.)

Venus Drive and Old Waco Lane are designated as Local Streets.

During review of this request, Staff discussed possible connections to Venus Drive and Old Waco Lane during the Development Review Committee (DRC) process. During those DRC discussions, the applicant's engineer cited some issues with connecting to Old Waco Lane and Venus Drive. This request is not in compliance.

Water is available along the right-of-way of Venus Drive, Old Waco Lane, and on Jupiter Drive (indicated by blue lines on aerial). Sewer is located along the west property line (green lines) and the south right-of-way of Jupiter Drive.

On-site photos shown.

Surrounding properties include vacant and undeveloped land to the north, agricultural and rural residential to the south, the turn for Jupiter and residential use to the east, and residential property and undeveloped land to the west.

Development Standards are cited and explained for base zoning of SF-1 and proposed PD-SF-1.

The first initial submittal review for the final plat of Andromeda Addition, proposing 55 lots, along with an initial rezoning request for SF-3, raised density concerns for the DRC. Discussion about possible connections to Venus Drive and Old Waco Lane also presented issues. As a result, the applicant withdrew his rezoning request for SF-3 and resubmitted the rezoning request for PD-SF-1.

The request for PD-SF-1 originally involved 40 lots; however, when DRC reviewed the revised site plan there were reservations about the easement going entirely across one of the lots to the south and whether that lot was buildable or not. The applicant changed the number of lots to 39 and proposed Tract B (the 40th lot) as a proposed green space area for the subdivision monument sign as well as a green scape for a private recreational area that would be maintained by a Home Owners Association.

The PD site plan conditions include the following:

- All lots must be a minimum of 11,000 square feet in area;
- All lots must have a six-foot tall wood privacy fence;
- Twenty-foot front building line;
- All homes must have four-sides masonry (brick/stone);
- All homes must have three-dimensional shingles;
- All lots to have fully sodded front yards;
- All lots must have minimum landscaping to include shrubs, bushes, and plantings;
- All lots must have two (2) two-inch Diameter Breast Height (DBH) trees in front yard;
- Streets must have 50-foot right-of-way;
- Streets must be 22-feet wide asphalt with a one-foot concrete ribbon curb on each side;
- Streets must have road-side ditches sized to convey design storm;
- All driveways must have driveway culverts as specified by the design engineer;

“No Street Parking” signs must be placed throughout the subdivision;
Additional right-of-way must be dedicated to the City of Temple for Jupiter Drive;
Waterline must be looped;
Tract B will be a private park owned and maintained by Home Owner’s Association (HOA); and
Monument sign and landscaping on Tract B (to be maintained by HOA).

Ms. Lyerly points out the entryway located from Jupiter Drive.

The site plan shows Tract D as a proposed drainage area, along with Tract A which is an existing drainage area.

The request is in compliance with the Future Land Use and Character Map and public facilities are available to serve the property.

The request is partially in compliance regarding compatibility with surrounding uses and zoning.

The request is not in compliance with the Thoroughfare Plan.

Twenty-two notices were mailed in accordance with all state and local regulations with three notices returned in agreement and nine notices in disagreement.

Ms. Lyerly explains the 20-percent opposition rule: if returned opposition notices equal or exceed 20 percent of the notified area (200-foot radius), a super majority vote (4/5^{ths}) is required at City Council.

Staff recommends approval of the request for a rezoning from AG district to PD-SF-1 district, subject to the Planned Development Conditions and Site Plan.

Chair Rhoads reiterated the 20 percent information for the audience. Ms. Lyerly added that if the case is denied by Planning and Zoning, the applicant does have the option to proceed on to City Council with the denial recommendation.

Vice-Chair Fettig asked why Old Waco Lane could not be used as the entry/exit and Ms. Lyerly deferred to the applicant’s engineer(s) for response.

Before opening the public hearing, Chair Rhoads asked the applicant/engineer to speak.

Ms. Jennifer Ryken, Turley Associates, 301 North 3rd Street, representing the owner/developer, responded to the connection question by stating there was no right-of-way available to connect to since both Venue Drive and Old Waco Lane stop short of the subject property line.

Ms. Ryken stated they were not going to develop the drainage tract on the west side but it will be reserved as a drainage tract. Ms. Ryken agreed that the easement would be maintained by the HOA.

Ms. Ryken explained there was an existing small swale that takes the water off of the two existing streets and directs it to the big channel to the north. There are proposed improvements to this portion as well.

Mr. Richard Wilson, Deputy City Engineer, commented that Old Waco Lane is private, not public, and all of the people along that road would need to give the City their permission. It is a very narrow road and is on the Thoroughfare Plan, but not on the TCIP. The City is asking for right-of-way for any future widening but it will be a while.

Chair Rhoads opened the public hearing.

Jim and Debby Erchull, 6914 Jupiter Drive, Temple, Texas, asked who owns Jupiter Drive (the street itself).

Mr. Brian Chandler, Director of Planning, stated it was a legal question and had consulted with Ms. Trudi Dill, Deputy City Attorney. Jupiter Drive zig-zags and there are portions that still need to be confirmed whether it is City owned or not. However, the City does own portions of Jupiter Drive with varying right-of-way widths which create a zig-zag in the road.

The City currently maintains Jupiter Drive.

Ms. Dill explained there was a proposed plat that had more details about all the different documents that make up the rights for using Jupiter Drive. In some places it may be the City owns the land and in some other places there are City owned easements so it is patch-worked. Ms. Dill believed there is a continuous City right-of-way in one form or another but did not have those documents with her.

Mr. Chandler explained that right-of-way is continuous but what varies are places that have easements, so it is a combination of easements and right-of-way.

Ms. Erchull explained she has already given up land to the City and now the City is going to demolish a 1,600 square foot house this week, and now if the road is expanded to 55-foot right-of-way, her home will be taken.

Ms. Erchull questioned why only 22 letters were sent out. Ms. Lyerly explained that Staff follows state law which requires a 200-foot notification radius from the subject property.

Ms. Erchull stated drainage is a big problem.

Mr. Ronald Smith, 6417 Jupiter Drive, Temple, Texas, stated he owns property to the south of the subject property and is opposed to this rezoning request.

Mr. Smith believes everyone on Jupiter Drive should have been notified of this request and that everyone he has spoken with is opposed to the request. The development does not fit into the scheme of the area and feels it would bring in vandalism.

Mr. Smith also agrees drainage is a problem.

Mr. Larry Strmiska, 6506 Jupiter Drive, Temple, Texas, stated he has children who like to play in the narrow road and this development would bring more traffic onto the children.

Mr. Dean Chambers, 6016 Jupiter Drive, Temple, Texas, stated he has lived in the area for 40 years.

Mr. Chambers commented if the street does not meet current requirements, why would more houses be developed. The road is very narrow, especially for emergency vehicles, city service trucks, UPS trucks, etc. that take up the whole road and is a very big concern.

When asked by Mr. Chambers if Jupiter Drive is still an easement, Ms. Dill responded that Jupiter Drive is a combination of documents for different parts of the road. Ms. Lyerly added that it is a combination of documents that allow the City access to the road.

Mr. Chandler explained in terms of the right-of-way that is addressed at the platting stage. This is a situation where when the property was annexed, the road did not meet the City standards. The TCIP is what funds city road construction. Over the years laws have also changed and can vary from city to city for road improvements.

Mr. Chambers does not want this development in his neighborhood.

Mr. Darrell Dragoo, 6904 Jupiter Drive, Temple, Texas, stated his main concern would be the increase in traffic on Jupiter Road if this request is approved.

The area has drainage issues and Jupiter is very narrow.

Mr. Dragoo mentioned the sewer main along Old Waco Lane is only about two-feet deep and a main sewer line.

Ms. Debbie Huey, 6212 Jupiter Drive, Temple, Texas, stated she moved to the area approximately 28 years ago before it was annexed. Ms. Huey added that Jupiter cannot handle the increased traffic. If this development is approved, there will be many large trucks (concrete, rock, etc.) using and tearing up the road which will remain unmaintained during the construction period.

Ms. Huey also commented that big trucks would have difficulty maneuvering.

Mr. Chandler clarified that, if approve, the entrance would be required to meet current radii standards.

Mr. Ronald Smith returned to state he owns 27 acres of property in the area and has lived there for 30 years. He is opposed to the request and any increase in the easement.

Ms. Jennifer Ryken returned to respond to prior questions.

Ms. Ryken stated in the site plan the property located to the northeast corner would be a detention pond to mitigate any increase in flows before it gets into the channel. This way there is no additional floodway over to Kegley.

The drainage channel to the west will have some improvements to what is already existing. The majority of the water on-site will go to the detention pond and slowly be released into the city channel.

Ms. Ryken added that in the future Jupiter will become a very important connection into the collectors since it will provide a connection from SH 317 over to the Loop so it will be improved.

A typical build-out for a subdivision is between five and 10 years so it would be a slow process. By that time the City's TCIP may change or revisited and closer to improving the road.

This road will eventually connect with Tarver and eventually go through Kegley and connect into Wildflower. Ms. Ryken said this is on the Thoroughfare Plan.

Mr. Chandler stated this is not funded but is planned for in the future.

Ms. Betty Lewis, 6819 Jupiter Drive, Temple, Texas, agreed that every property and home owner on Jupiter Drive should have been contacted. Mr. and Mrs. Lewis own all the property on the west side of Jupiter Drive that is being considered in the area. They have owned the property since 1968.

Ms. Lewis stated the only place the City will be able to acquire the required width for Jupiter to become a collector is from their property.

Ms. Lewis stated the impact of progress needs to be considered and the current sewer line will not handle the additional burden.

Ms. Lewis stated she and her husband submitted a plat for development (87 homes) for their land several years ago but have never developed it. To give an easement to the City for the sewer line, in response the Lewises received 27 water tap connections free. These tap connections were never asked for because the Lewises never developed the land.

Mr. Darrell Dragoo asked about the big pond underneath the houses that were going to be built since the drainage seems to collect and dump out in the field.

Chair Rhoads closed the public hearing.

Commissioner Jones thanked the citizens for attending the meeting and encouraged them to continue getting involved by speaking up and working with City Staff, City Council, and District representatives.

Chair Rhoads commented on how Temple has grown over the time he has lived in Temple and more changes would be coming.

Commissioner Crisp stated development often drives infrastructure.

Commissioner Ward made a motion to approve Item 4, **Z-FY-17-05**, and Commissioner Crisp made a second.

Motion failed: (3:6)

Commissioners Alaniz, Langley, Jones, Marshall, Vice-Chair Fettig and Chair Rhoads voted Nay

Item 5: Z-FY-17-06 – Hold a public hearing to consider and recommend action on a rezoning from the Commercial (C) zoning district to the Multi-Family Two (MF-2) zoning district, on 0.928 +/- acres, Lots 1-6, Pt. 7, Eastern Hills Subdivision, located at 715 North 20th Street, Temple, Texas.

Ms. Dessie Redmond, Planner, stated this item was scheduled to go forward to City Council for first reading on January 19, 2017 and second reading on February 2, 2017.

The applicant and property owner is Mr. Brad Dusek (who was in attendance) and the site is located in the Eastern Hills Subdivision.

A 10-unit apartment building currently exists on the site and the applicant is requesting a rezoning from C to MF-2.

Site photos are shown.

Surrounding properties include vacant property to the north and east, and existing residential to the south and west.

The existing building is one story in height with two surface parking lots. There is some vacant space within the subject property to the north and south. The proposal is to utilize some of the vacant space to the south to construct an additional attached six-unit, one story building, which would not be attached to the existing 10-unit building.

Zoning map is shown.

The Future Land Use and Character Map designate the subject property as Auto-Urban Residential character. This designation is generally for smaller single family lots so the request is not in compliance with this designation. However, an existing multi-family use is currently located on the property.

The property is accessed off of North 20th Street which is designated as a Local Street in the Thoroughfare Plan. A Local Street has a right-of-way designation of 50-feet and a 30-foot width of pavement. Currently there is approximately 35-feet of right-of-way and approximately 20-feet of pavement and therefore, is not compliant with the Thoroughfare Plan. However, the existing and proposed units are considered a low intensity apartment complex and do not appear to have created any issues to date or are therefore any foreseen issues with the proposal.

Water and sewer are available to the property.

Use comparison table is shown and briefly described.

Twenty-nine notices were mailed in accordance with all state and local regulations with zero response letters returned in agreement and one response letter returned in disagreement of the proposal.

Staff recommends approval of the request for rezoning from Commercial (C) to Multi-Family Two (MF-2) based on the following compliance factors:

The surrounding zoning;

The existing multi-family use on the property; and
The availability of public facilities to serve the property.

Chair Rhoads opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Armstrong made a motion to approve Item 5, **Z-FY-17-06**, and Vice-Chair Fettig made a second.

Motion passed: (9:0)

Item 6: P-FY-17-03 – Consider and recommend action on the Final Plat of Santa Fe Plaza West, an 11.007 +/- acre, a 9 lot, 3 block, non-residential subdivision, being a replat embracing all or portions of several lots within blocks 25, 26, 27 & 18, Original Town of Temple, subdivision and all or portions of several lots within blocks 12 & 23, Moore's Railway Addition, subdivision, as further described by legal description and providing street frontage on West Ave A, West Ave B, South 11th, South 9th South 7th & South 5th Streets, Temple, Texas.

Mr. Baker stated the applicant is the City of Temple which is being represented by All County Surveying. Because the City is the owner, this item is tentatively scheduled to go forward to City Council on January 19, 2017. This item will also be matched up with an abandonment request which is part of the application.

This is a replat of two existing platted subdivisions (Moore's Railway Addition and Original Town of Temple Subdivision plats).

The final plat was reviewed by the DRC on November 10, 2016 and deemed administratively complete on December 15, 2016.

The zoning for the entire property is Central Area (CA) and proposed as a City-owned plaza.

The replat is the first stage to implementation of the City Council Approved Santa Fe Plaza Master Plan and will be the future administrative office sites for:

Temple Chamber of Commerce;
Temple Economic Development Corporation (TEDC); and
Temple Independent School District (TISD).

The plat as proposed does require right-of-way and alleyway abandonment which will be processed by a separate application.

Sidewalk and other pedestrian amenities are being proposed and would be shown on the building plans which are consistent with City Council Approved Master Plan.

In addition, there is a small parcel (approximately 0.074 +/- acres) in process of being acquired by the City. That acquisition will require a replat of this plat (Santa Fe Plaza West Final Plat)

and would possibly include additional abandonment(s). That replat and abandonment would also go back to City Council for final approval authority.

Wastewater, sewer and water are available to serve the site; not only along West Avenue A and West Avenue B, but the additional sewer lines that are available throughout the subdivision.

No exceptions to the UDC are being requested or identified.

The site plan is shown, along with the current configuration and the proposed final plat.

The current topo/utility plan is shown.

Site photos shown.

Staff recommends approval of the final plat of Santa Fe Plaza West.

A public hearing is not required.

Commissioner Alaniz made a motion to approve Item 6, **P-FY-17-03**, and Commissioner Ward made a second.

Motion passed: (9:0)

Item 7: P-FY-17-08 - Consider and take action on the Final Plat of Westfield Development Phase XI, a 22.858 +/- acres, 100-lot, 4-block, residential subdivision, situated in the Baldwin Robertson Survey, Abstract No. 17, Bell County, located at the northeast corner of the intersection of Stonehollow Drive and Westfield Boulevard, Temple, Texas.

Ms. Redmond stated the applicant is Scott Kiella on behalf of Kiella Development and Turley Associates represents the applicant, whom is in attendance tonight.

This plat is part of the overall Westfield Master Plan Development (approved July, 2015).

The zoning district is Planned Development (PD) – Single Family 3 (SF-3).

Currently the subject property is vacant and being used as agricultural land.

Surrounding properties include vacant, undeveloped land to the north and east, agricultural use to the west, and residential to the south (Villages of Westfield Phase I).

The Thoroughfare Plan designates Westfield Boulevard as a minor arterial and abuts the property to the west. Stonehollow Drive is proposed for a local street and will abut the property to the south.

Sewer and water are available to the site.

DRC reviewed the plat on December 5, 2016 and discussed the following:

- The current existing temporary easement is being replaced as Tract 1 located on the southern portion.
- There are existing sidewalks along both sides of Westfield Boulevard (required by UDC).
- Public versus private easements on the site.

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

The plat is shown.

Staff recommends approval of the final plat of Westfield Development, Phase XI.

A public hearing is not required.

Commissioner Marshall made a motion to approve Item 7, **P-FY-17-08**, and Commissioner Jones made a second.

Motion passed: (9:0)

There being no further business, the meeting was adjourned at 7:28 p.m.

Respectfully submitted,
Leslie Evans

**PLANNING AND ZONING COMMISSION
DECEMBER 19, 2016
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair Greg Rhoads
Derek Marshall Omar Crisp
Lydia Alaniz Lester Fettig
Lee Armstrong David Jones
Jeremy Langley

MEMBERS ABSENT:

Bryant Ward

STAFF PRESENT:

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

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

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

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

Mr. Chandler stated Item 2 was withdrawn by the applicant. The item has already been posted and advertised for tonight's meeting. The request will be resubmitted as a PD and the item will be renoticed with a new land use sign posted on the property.

This includes the annexation and a municipal services plan. There were two City Council meetings with no issues on the annexation. The zoning will come after the annexation.

Commissioner Armstrong stated he would need to abstain from Item 3, Z-FY-17-04.

Item 4, Z-FY-17-05, received a lot of responses, many in opposition. The applicant originally applied for a plat and rezoning that was more dense (55 lots) than desired.

Staff had concerns about Jupiter Drive and dense new development. The applicant came back with a PD (39 lots) with less impact.

Staff is recommending approval with severe reservations because of Jupiter Drive.

Mr. Chandler explained that Jupiter is basically an extension of Tarver and the location is on the Thoroughfare Plan as a potential future project.

The City does not require developers to improve the public roadways/perimeter streets.

Citizen comments will probably state concerns about Jupiter Drive itself and the drainage situation.

Discussion about the site plan and revisions made.

Discussion regarding a 2005 case that went to P&Z and City Council. Staff would try to locate that information.

The current property owner purchased the subject property quite recently.

Staff questioned whether a connection could be made to Old Waco Lane and Venus Drive and the Commission might want to ask the applicant to explain why these connections could not be done in order to provide relief.

Mr. Richard Wilson, Deputy City Engineer, responded that one road is a private road and the other has a cul-de-sac on the end which ends 50 feet away.

Mr. Chandler explained the lot fronting Jupiter with the transmission line running through it would not be a viable lot and could be an HOA maintained green space for a private park.

Mr. Wilson stated a drainage ditch abuts to the north and on the west side is an existing drainage easement to take the water north. The proposal is a detention pond on the east side that would also discharge. The slope is generally to the east and north and the drainage easement and detention area would intercept the flow

Discussion about peak hour travel and average daily trips (10) per home.

City Staff does not require Traffic Impact Analyses.

Mr. Chandler stated North 20th Street is an existing 10-unit apartment complex and the applicant would like to add five to six units. The applicant cannot expand since it is a non-conforming use in that district; thus, the request to rezone to MF-2 which would accommodate the request.

Santa Fe Plaza West final plat will give the Commission an opportunity to see the proposed footprint and what is designed.

Upcoming cases from Director's Report briefly discussed.

Mr. Chandler reminded the Commissioners that the first meeting in January 2017 will take place on Tuesday, January 3, 2017.

Commissioner Crisp will need to abstain from his rezoning request on January 3rd.

UDC text amendments, mainly clean-up, relative to TABC alcohol beverage sales and consumption, and adding distance requirements (to private schools) will be coming before P&Z on January 3rd.

A PD zoning request is proposed along Avenue M for Mr. Kelum Pelawatta in order to address current issues regarding car sales is also forthcoming.

Brief discussion about proposed Santa Fe Plaza West office space.

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



PLANNING & ZONING COMMISSION ITEM MEMORANDUM

1/3/17
Item #
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW

Kevin Beavers, CPRP, Parks and Recreation Director

ITEM DESCRIPTION: Consider and take action on a requested exception to the Parkland Dedication Fees for North Gate phase 2. This Final Plat was presented to the Planning and Zoning Commission without any Park exceptions and was approved on February 3, 2014. Since that time, City Staff and Kiella Real Estate Group have come up with a better use of Park fees for this development.

STAFF RECOMMENDATION: Staff recommends approval of the exception to the Parkland Dedication Fees for North Gate Phase 2 in the amount of \$ 14,625 (\$225 for each of the 65 lots). Instead of paying the fees to the City of Temple, Kiella Real Estate Group would like to apply these fees towards the total park cost of \$30,452.74. The difference of \$15,827.74 would be split between the Developer and Builder.

ITEM SUMMARY: Kiella Real Estate Group and I met to share their vision of developing a private park within phase 2 of North Gate. Staff from the Kiella Group had been to the Houston, Texas area and seen playground areas that were more natural in design. After reviewing these photos and the proposed drawings of what they were wanting to accomplish, I concurred that this would be a unique opportunity to offer the neighborhood an alternative to the traditional playground.

I am in favor of this for the following reasons:

- With the addition of Developer and Builder fees, a play area can be built quicker and to a larger scale as there are other entities that can contribute to the total cost of the project.
- This playground will be less than ½ mile from the new Crossroads Park playground which will have traditional play elements.
- When this project was approved, Crossroads Park was not in existence. This did not come about until the bond election of May 2015 which led to the requested exception.

FISCAL IMPACT: None

ATTACHMENTS:

Request Letter
Cost Estimates
Site Plan

September 27, 2016

**Kevin Beavers
2 N. Main St., Suite 201
Temple, TX 76501
(254) 298-5690**

**Cc: Jonathan Graham – City Manager
Traci Barnard – Director of Finance**

Dear Kevin,

West Tanglefoot Development, as the developer of North Gate subdivision, is requesting the section 2 park fees to spend on the park within North Gate. The total amount requested is \$14,625 which represents \$225 for the 65 lots in section 2. Based on bids received the total project would cost \$30,452.74. Therefore the developer and builder will split the remaining \$15,827.74.

Please see the attached maps, plans and specifications for the project scope. We are excited to commence this project.

Thank you for the consideration.

Best regards,

John Kiella

<i>Item</i>	<i>Description</i>	<i>Contractor</i>	<i>Amount</i>
Base Bid	Landscape and Irrigation	Chick Landscaping	\$22,755.64
Furnishings	3 benches, 8' picnic table, 2 trashcans, shipping	Belson Outdoors	\$5,037.01
Signage	Park Rules	Fast Signs	\$1,660.09
Contingency	Contingency	Misc.	\$1,000.00
		Total:	\$30,452.74

Total Cost	\$ 30,452.74
Park fees section 2	\$(14,625.00)
Remaining Cost	\$ 15,827.74
Stylecraft Builder's portion	\$ 7,913.87
West Tanglefoot Development portion	\$ 7,913.87

CHICK LANDSCAPING, INC

COMMERCIAL / RESIDENTIAL

9710 Lark Trail P:(254)947-9150
Salado, TX 76571 F:(254)947-3770
www.chicklandscaping.com

Estimate

Date:	Estimate #
7/13/2016	6106

Name / Address:
Stylecraft Builders, Inc 4090 State HWY 6 South College Station, TX 77845

Project
Northgate Park

Description	Qty	Rate	Total	Rep
				QA
Chick Landscaping, Inc Irrigation System-Repair and rework existing to allow for new Park area	1	1,875.00	1,875.00	
Labor-remove sod and hauloff	1	750.00	750.00	
Hamlin Grass- 5gal	7	21.00	147.00T	
Iris - 5gal	3	21.00	63.00T	
Lantana - 1gal	4	9.00	36.00T	
Salvia Greggii (Red) - 5gal	10	21.00	210.00T	
Dwarf Yaupon Holly - 7gal	12	32.00	384.00T	
Soft Leaf Yucca - 5gal	1	21.00	21.00T	
PRO 5 Weed Barrier 4x250-Granite walkways and planting beds	1,100	0.55	605.00T	
PRO 5 Weed Barrier 4x250-Playground area	1,520	0.55	836.00T	
6" Concrete curbing with #3 rebar	315	18.00	5,670.00T	
Black Mulch-Planting areas	100	6.50	650.00T	
Hardwood Mulch	800	5.00	4,000.00T	
Crushed Granite-(walkways)	10	85.00	850.00T	
River Rock 1/2x1	2	105.00	210.00T	
Limestone Block Feature-2x2x5 Limestone Blocks	1	3,000.00	3,000.00T	
Railroad tie balance beam	1	450.00	450.00T	
Labor-set benches, tables, and signs	1	550.00	550.00	
Moss Rock Boulders-assorted sizes mortared in concrete curbing	1	1,125.00	1,125.00T	
I accept this proposal and agree for said work to be performed. I also understand and agree that the full amount for this project is due upon completion.				
Signature _____			Subtotal	\$21,432.00
			Sales Tax (7.25%)	\$1,323.64
			Total	\$22,755.64



More than fast. More than signs.®

FASTSIGNS Brazos Valley

404 University Dr.E., Suite C
College Station, TX 77840
ph: (979)764-7446
fax: (979)764-7444
Email: 465@fastsigns.com

Estimate

465 - 16979

Estimate Date: 9/16/2015 3:45:32PM

Printed: 9/25/2015 4:29:53PM

Customer: **Briar Grove HOA**

ph: (979) 777-0602

Contact: Ryan Key

Customer: 6746

Description: kab // aluminum sign for Briarwood

Sales Person: Kyle Brightwell

Clerk: Kyle Brightwell

email: rkey@stylecraftbuilders.com

Dear Ryan:

This job would have built in 15 minutes free design/layout/proof based on the total job cost. Any time beyond that is billed at a rate of \$65 per hour rounded to the nearest 1/4 hour. In most cases if we have an idea from the customer what they want with a simple sketch or layout we can achieve the look they want in the allotted time.

Sincerely,

Kyle Brightwell

	Product	Qty	Sides	H x W	Unit Cost	Totals
1	Post & Panel Sign	* 1	1	96 x 54	\$1,395.00	\$1,395.00
Description: Post & Panel sign, graphic area to be 39"x48", 3" aluminum frame, 3" aluminum posts, overall post height to be 96", sign will be 72" from grade once installed painted SW 6106 Kilim Beige, letters to be painted black						
install by other						
Color: sw 6106 Kilim Beige, black painted letters						

Notes:

Line Item Total:	\$1,395.00
Tax Exempt Amt:	\$150.00
Subtotal:	\$1,395.00
Shipping:	\$150.00
Taxes:	\$115.09
Total:	\$1,660.09

Deposit Required: \$830.05

Bill To: Briar Grove HOA
Ryan Key
3500 W. Davis
SUITE 190
Conroe, TX 77304

Payment due upon completion of order.

Received/Accepted By:

Ryan Key 9/25/15



111 North River Road
North Aurora, IL. 60542
sales@belson.com

1-800-323-5664 Toll Free:
1-630-897-8489 Phone:
1-630-897-0573 Fax:

Model #	Description	Lbs	Quantity	Unit Price	Unit Total
PBSC-5-RD	Palisade Bench, 60"L - Redwood In-Ground Mount Frame Style Black Powder-Coated Frame	128	3	\$559.00	\$1,677.00
RP8-I	Recycled Plastic 8' Picnic Table Set, In- ground Mt. 01 Cedar Top/Seat -05 Black Frame	643	1	\$1,584.00	\$1,584.00
P-32	Recycled Plastic 32 Gallon Open Top Waste Receptacle Housing GRN Green	117	2	\$255.00	\$510.00
P-32L	32 Gallon Waste Can with Lid for Open Top Waste Receptacle - Gray GR Gray	7	2	\$52.00	\$104.00
P-32M	Permanent Mount Kit for Open Top Waste Receptacle	3	2	\$46.00	\$92.00
P-32L	32 Gallon Waste Can with Lid for Open Top Waste Receptacle - Gray GR Gray	7	2	\$52.00	\$104.00

Calculate Shipping

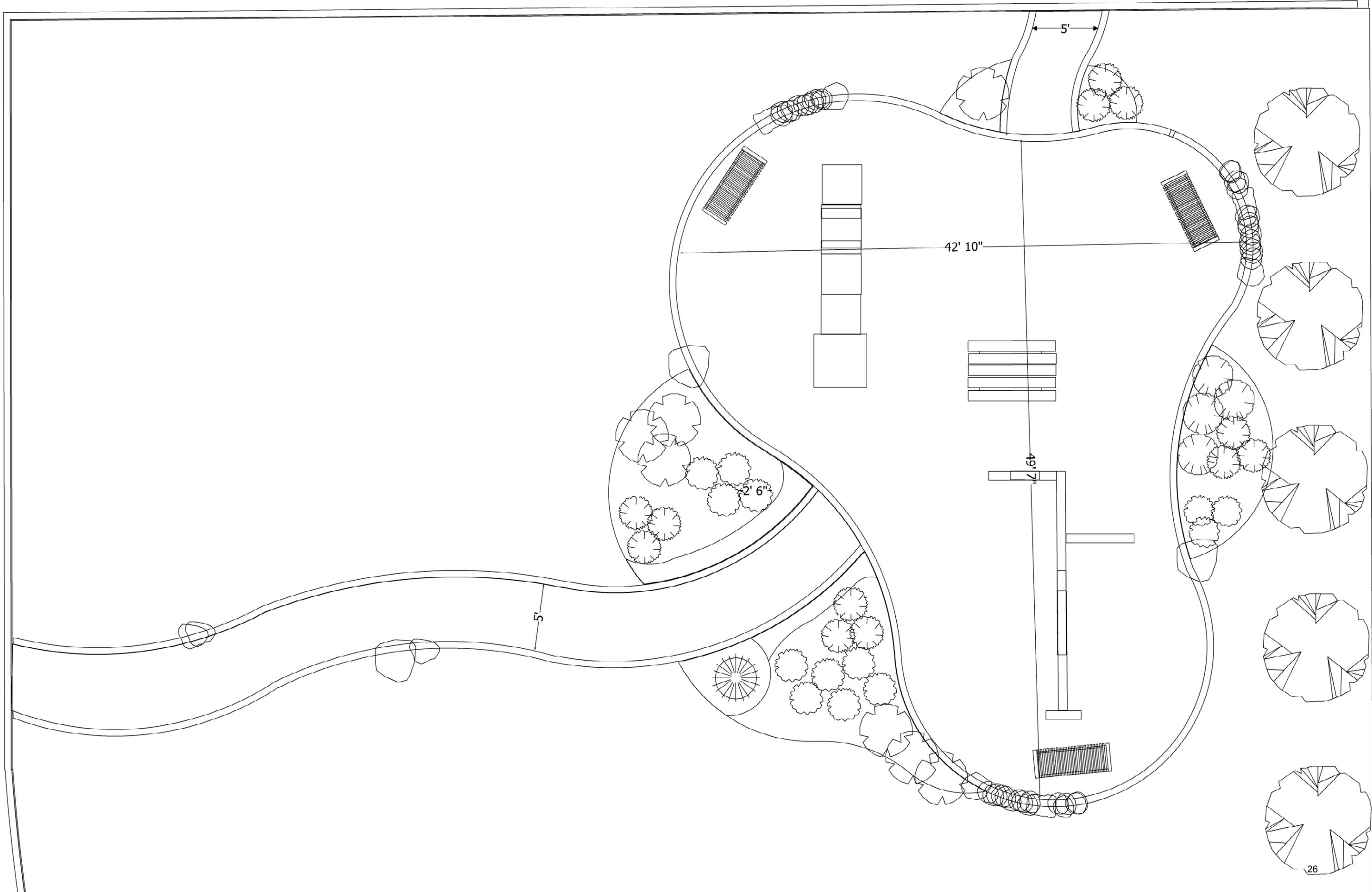
Zip Code 77845

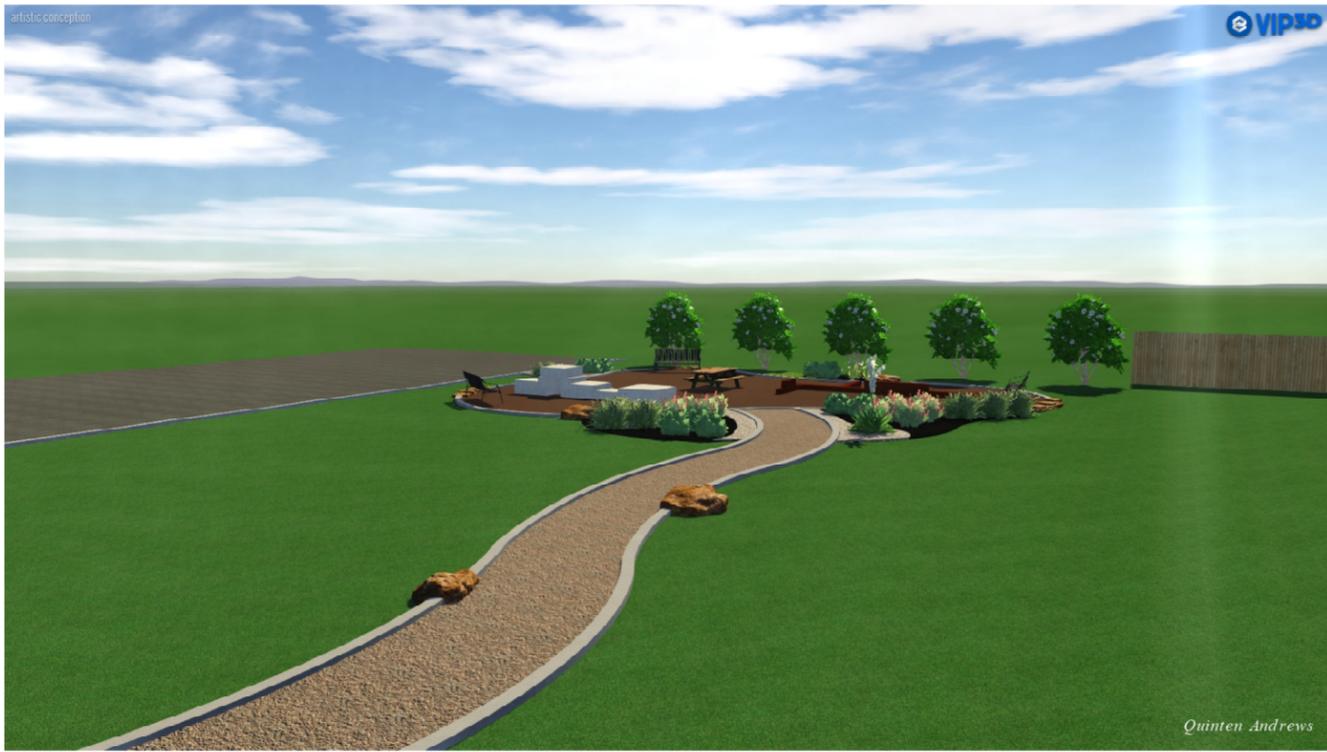
Subtotal (Illinois Only) Tax \$4,071.00

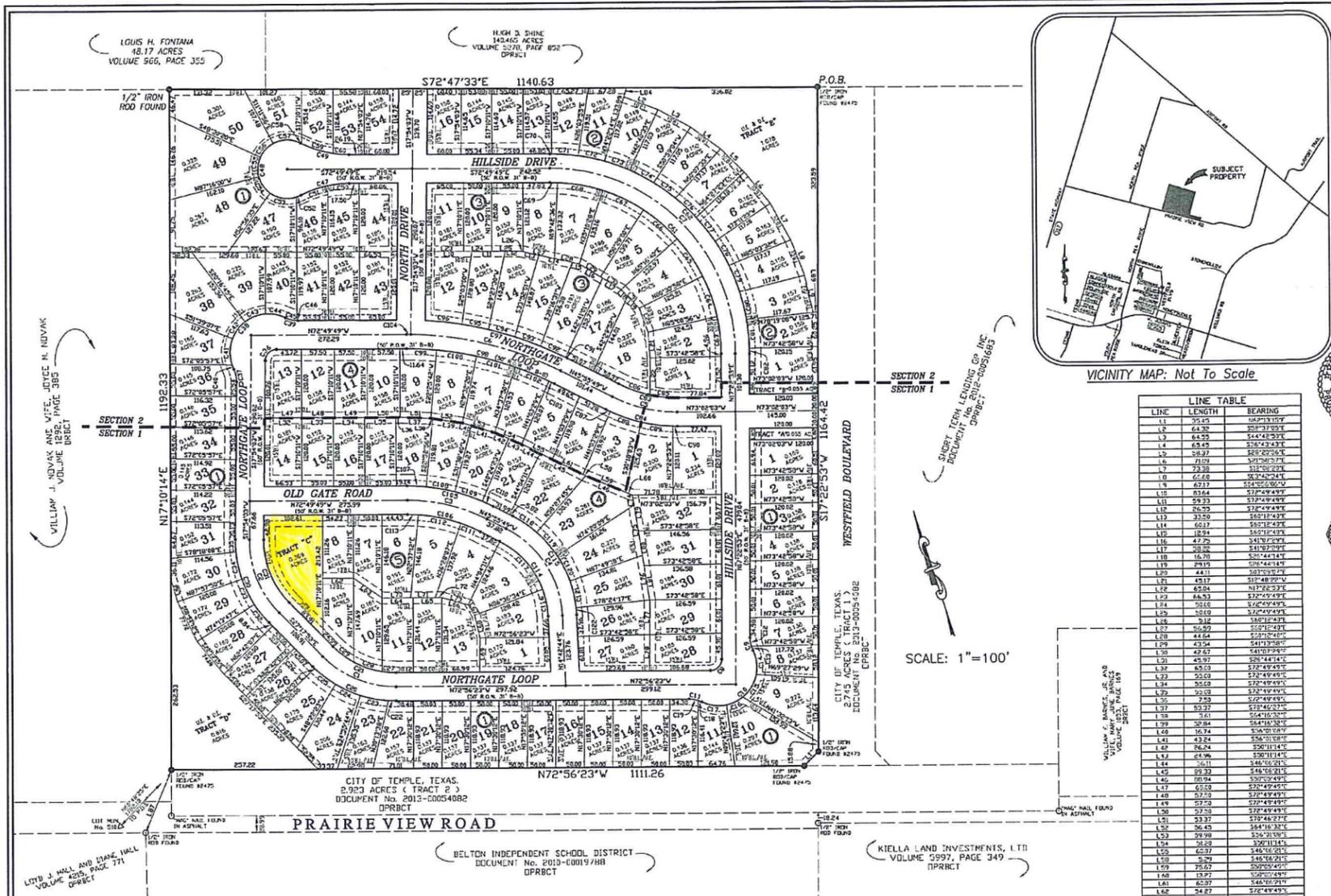
Phone Call Service Liftgate Service ?

ShippingGrand Total \$966.01\$0.00

\$5,037.01







LINE TABLE

LINE	LENGTH	BEARING
L1	25.00	S00°00'00"W
L2	64.32	S00°00'00"W
L3	64.32	S44°45'20"E
L4	64.32	S00°00'00"W
L5	58.97	S00°00'00"W
L6	21.00	S00°00'00"W
L7	21.00	S00°00'00"W
L8	62.68	S00°00'00"W
L9	62.68	S44°45'20"E
L10	62.68	S00°00'00"W
L11	59.23	S00°00'00"W
L12	24.75	S00°00'00"W
L13	33.50	S00°00'00"W
L14	33.50	S00°00'00"W
L15	10.94	S00°00'00"W
L16	47.25	S00°00'00"W
L17	38.20	S00°00'00"W
L18	16.78	S00°00'00"W
L19	29.19	S00°00'00"W
L20	44.11	S00°00'00"W
L21	47.17	S00°00'00"W
L22	44.11	S00°00'00"W
L23	64.32	S00°00'00"W
L24	50.16	S00°00'00"W
L25	33.10	S00°00'00"W
L26	3.12	S00°00'00"W
L27	44.64	S00°00'00"W
L28	42.62	S00°00'00"W
L29	43.54	S00°00'00"W
L30	45.62	S00°00'00"W
L31	45.97	S00°00'00"W
L32	65.10	S00°00'00"W
L33	25.00	S00°00'00"W
L34	53.60	S00°00'00"W
L35	7.85	S00°00'00"W
L36	52.97	S00°00'00"W
L37	52.97	S00°00'00"W
L38	31.61	S00°00'00"W
L39	30.84	S00°00'00"W
L40	16.74	S00°00'00"W
L41	43.24	S00°00'00"W
L42	26.24	S00°00'00"W
L43	65.96	S00°00'00"W
L44	56.11	S00°00'00"W
L45	39.32	S00°00'00"W
L46	18.94	S00°00'00"W
L47	62.02	S00°00'00"W
L48	36.45	S00°00'00"W
L49	36.45	S00°00'00"W
L50	36.45	S00°00'00"W
L51	36.45	S00°00'00"W
L52	60.37	S00°00'00"W
L53	59.78	S00°00'00"W
L54	36.45	S00°00'00"W
L55	36.45	S00°00'00"W
L56	36.45	S00°00'00"W
L57	36.45	S00°00'00"W
L58	36.45	S00°00'00"W
L59	36.45	S00°00'00"W
L60	36.45	S00°00'00"W
L61	36.45	S00°00'00"W
L62	36.45	S00°00'00"W
L63	36.45	S00°00'00"W
L64	36.45	S00°00'00"W
L65	36.45	S00°00'00"W
L66	36.45	S00°00'00"W
L67	36.45	S00°00'00"W
L68	36.45	S00°00'00"W
L69	36.45	S00°00'00"W
L70	36.45	S00°00'00"W

STATE OF TEXAS
 COUNTY OF BELL

WEST TANGLEFOOT DEVELOPMENT, INC., A TEXAS CORPORATION, OWNER OF THE LAND SHOWN ON THIS PLAT AND REDUCED HEREIN AS FINAL PLAT OF NORTH GATE, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHERE HENCE IS SUBSCRIBED HERETO, HEREBY DECLARE TO THE USE OF THE PUBLIC FOR ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

WEST TANGLEFOOT DEVELOPMENT, INC.
 A TEXAS CORPORATION

RONALD MIKESKA
 PRESIDENT

STATE OF TEXAS
 COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2014 BY
 RONALD MIKESKA, PRESIDENT OF WEST TANGLEFOOT DEVELOPMENT, INC.

NOTARY PUBLIC

STATE OF TEXAS
 COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT I 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 THEREON.

Jennifer Ryken
 JENNIFER RYKEN
 NO. 00277

STATE OF TEXAS
 COUNTY OF BELL

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 THEREON.

Michael E. Alvis
 Michael E. Alvis, R.P.L.S., No. 5402

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

DATED THIS _____ DAY OF _____, 2014

CHAIRMAN, PLANNING AND ZONING COMMISSION DATE

TAX CERTIFICATE

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

DATED THIS _____ DAY OF _____, 2014.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

FINAL PLAT OF:
NORTH GATE
 31.116 ACRES

5 BLOCKS, 133 LOTS
 LOTS 1 thru 54, BLOCK 1
 LOTS 1 thru 16, BLOCK 2
 LOTS 1 thru 18, BLOCK 3
 LOTS 1 thru 32, BLOCK 4
 LOTS 1 thru 13, BLOCK 5

TRACT "A" - 0.055 Acres HOA
 TRACT "B" - 0.055 Acres HOA
 TRACT "C" - 0.369 Acres HOA
 TRACT "D" - 0.816 Acres HOA
 TRACT "E" - 1.078 Acres HOA

PART OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT #17,
 A SUBDIVISION IN THE CITY OF TEMPLE,
 BELL COUNTY, TEXAS

FILED FOR RECORD THIS _____ DAY OF _____, 2014, IN YEAR _____, PLAT # _____
 PLAN RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # _____ OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 510
 THE THETA ANGLE AT SAID CITY MONUMENT IS 01°29'57"
 THE COMBINED CORRECTION FACTOR (CCF) IS 0.9999953
 PUBLISHED CITY COORDINATES ARE X=3,207,137.72 Y=10,388,529.14
 THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING IS
 N60°48'25"E, 178.128 FEET

TRACT SURVEYED OCTOBER 25, 2013
 31.116 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE
 FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

CURVE TABLE			CURVE TABLE			CURVE TABLE			CURVE TABLE		
CURVE	LENGTH	RADIUS	CHORD	CURVE	LENGTH	RADIUS	CHORD	CURVE	LENGTH	RADIUS	CHORD
C1	143.79	181.00	500.00 0.00°	C43	29.11	67.50	555.92 31.6°	C79	49.65	333.00	N44°11'20"W, 49.65
C2	149.03	183.00	524.41 0.00°	C44	47.14	67.50	518.20 34°W, 46.38	C80	26.92	333.00	N03°28'23"E, 26.92
C3	145.54	183.00	457.99 0.00°	C45	35.65	67.50	358.38 34°W, 38.53	C81	29.29	333.00	N01°41'44"E, 29.29
C4	192.51	183.00	632.36 33°W, 181.79	C46	39.53	67.50	384.29 34°W, 38.54	C82	9.42	333.00	N63°29'42"E, 9.42
C5	188.76	203.00	552.26 33°W, 137.16	C47	29.83	67.50	287.36 34°W, 29.19	C83	38.44	675.00	N00°00'00"W, 38.44
C6	226.96	203.00	697.27 34°W, 272.99	C48	41.81	67.50	404.13 34°W, 41.81	C84	12.03	675.00	S00°00'00"W, 12.03
C7	311.11	203.00	927.43 34°W, 466.42	C49	16.71	67.50	161.51 34°W, 16.71	C85	47.48	675.00	S14°59'18"E, 47.48
C8	21.20	210.00	64.11 34°W, 20.78	C50	20.29	67.50	194.29 34°W, 20.29	C86	30.75	675.00	S00°00'00"W, 30.75
C9	20.97	210.00	62.91 34°W, 20.77	C51	21.17	67.50	207.17 34°W, 21.17	C87	6.29	675.00	S44°42'49"E, 6.29
C10	27.97	210.00	82.74 34°W, 27.97	C52	21.17	67.50	207.17 34°W, 21.17	C88	52.73	675.00	S00°00'00"W, 52.73
C11	36.72	210.00	108.11 34°W, 36.72	C53	21.17	67.50	207.17 34°W, 21.17	C89	27.29	675.00	S00°00'00"W, 27.29
C12	45.22	210.00	133.48 34°W, 45.22	C54	21.17	67.50	207.17 34°W, 21.17	C90	27.29	675.00	S00°00'00"W, 27.29
C13	53.72	210.00	158.85 34°W, 53.72	C55	21.17	67.50	207.17 34°W, 21.17	C91	27.29	675.00	S00°00'00"W, 27.29
C14	62.22	210.00	184.22 34°W, 62.22	C56	21.17	67.50	207.17 34°W, 21.17	C92	27.29	675.00	S00°00'00"W, 27.29
C15	70.72	210.00	209.59 34°W, 70.72	C57	21.17	67.50	207.17 34°W, 21.17	C93	27.29	675.00	S00°00'00"W, 27.29
C16	79.22	210.00	234.96 34°W, 79.22	C58	21.17	67.50	207.17 34°W, 21.17	C94	27.29	675.00	S00°00'00"W, 27.29
C17	87.72	210.00	260.33 34°W, 87.72	C59	21.17	67.50	207.17 34°W, 21.17	C95	27.29	675.00	S00°00'00"W, 27.29
C18	96.22	210.00	285.70 34°W, 96.22	C60	21.17	67.50	207.17 34°W, 21.17	C96	27.29	675.00	S00°00'00"W, 27.29
C19	104.72	210.00	311.07 34°W, 104.72	C61	21.17	67.50	207.17 34°W, 21.17	C97	27.29	675.00	S00°00'00"W, 27.29
C20	113.22	210.00	336.44 34°W, 113.22	C62	21.17	67.50	207.17 34°W, 21.17	C98	27.29	675.00	S00°00'00"W, 27.29
C21	121.72	210.00	361.81 34°W, 121.72	C63	21.17	67.50	207.17 34°W, 21.17	C99	27.29	675.00	S00°00'00"W, 27.29
C22	130.22	210.00	387.18 34°W, 130.22	C64	21.17	67.50	207.17 34°W, 21.17	C100	27.29	675.00	S00°00'00"W, 27.29
C23	138.72	210.00	412.55 34°W, 138.72	C65	21.17	67.50	207.17 34°W, 21.17	C101	27.29	675.00	S00°00'00"W, 27.29
C24	147.22	210.00	437.92 34°W, 147.22	C66	21.17	67.50	207.17 34°W, 21.17	C102	27.29	675.00	S00°00'00"W, 27.29
C25	155.72	210.00	463.29 34°W, 155.72	C67	21.17	67.50	207.17 34°W, 21.17	C103	27.29	675.00	S00°00'00"W, 27.29
C26	164.22	210.00	488.66 34°W, 164.22	C68	21.17	67.50	207.17 34°W, 21.17	C104	27.29	675.00	S00°00'00"W, 27.29
C27	172.72	210.00	514.03 34°W, 172.72	C69	21.17	67.50	207.17 34°W, 21.17	C105	27.29	675.00	S00°00'00"W, 27.29
C28	181.22	210.00	539.40 34°W, 181.22	C70	21.17	67.50	207.17 34°W, 21.17	C106	27.29	675.00	S00°00'00"W, 27.29
C29	189.72	210.00	564.77 34°W, 189.72	C71	21.17	67.50	207.17 34°W, 21.17	C107	27.29	675.00	S00°00'00"W, 27.29
C30	198.22	210.00	590.14 34°W, 198.22	C72	21.17	67.50	207.17 34°W, 21.17	C108	27.29	675.00	S00°00'00"W, 27.29
C31	206.72	210.00	615.51 34°W, 206.72	C73	21.17	67.50	207.17 34°W, 21.17	C109	27.29	675.00	S00°00'00"W, 27.29
C32	215.22	210.00	640.88 34°W, 215.22	C74	21.17	67.50	207.17 34°W, 21.17	C110	27.29	675.00	S00°00'00"W, 27.29
C33	223.72	210.00	666.25 34°W, 223.72	C75	21.17	67.50	207.17 34°W, 21.17	C111	27.29	675.00	S00°00'00"W, 27.29
C34	232.22	210.00	691.62 34°W, 232.22	C76	21.17	67.50	207.17 34°W, 21.17	C112	27.29	675.00	S00°00'00"W, 27.29
C35	240.72	210.00	716.99 34°W, 240.72	C77	21.17	67.50	207.17 34°W, 21.17	C113	27.29	675.00	S00°00'00"W, 27.29
C36	249.22	210.00	742.36 34°W, 249.22	C78	21.17	67.50	207.17 34°W, 21.17	C114	27.29	675.00	S00°00'00"W, 27.29
C37	257.72	210.00	767.73 34°W, 257.72	C79	21.17	67.50	207.17 34°W, 21.17	C115	27.29	675.00	S00°00'00"W, 27.29
C38	266.22	210.00	793.10 34°W, 266.22	C80	21.17	67.50	207.17 34°W, 21.17	C116	27.29	675.00	S00°00'00"W, 27.29
C39	274.72	210.00	818.47 34°W, 274.72	C81	21.17	67.50	207.17 34°W, 21.17	C117	27.29	675.00	S00°00'00"W, 27.29
C40	283.22	210.00	843.84 34°W, 283.22	C82	21.17	67.50	207.17 34°W, 21.17	C118	27.29	675.00	S00°00'00"W, 27.29
C41	291.72	210.00	869.21 34°W, 291.72	C83	21.17	67.50	207.17 34°W, 21.17	C119	27.29	675.00	S00°00'00"W, 27.29
C42	300.22	210.00	894.58 34°W, 300.22	C84	21.17	67.50	207.17 34°W, 21.17	C120	27.29	675.00	S00°00'00"W, 27.29

NOTES:

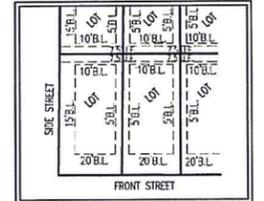
- THIS PROPERTY IS NOT WITHIN THE 100-YEAR FLOOD BOUNDARY PER F.E.M.A. FEDERAL INSURANCE RATE MAP NO. 480270170E DATED SEPTEMBER 26, 2008
- TRACTS "A", "B", "C", "D" & "E" ARE TO BE OWNED AND MAINTAINED BY THE TEMPLE WESTFIELD PROPERTY OWNERS ASSOCIATION, INC.
- THERE SHALL BE A 5' BUILDING LINE ON ALL SIDE LOT LINES UNLESS OTHERWISE SHOWN.
- THERE SHALL BE A 10' REAR BUILDING LINE UNLESS OTHERWISE SHOWN.
- ALL RESIDENTIAL LOTS SHALL HAVE A 7.5' UTILITY EASEMENT ALONG THE REAR LOT LINES UNLESS OTHERWISE SHOWN HEREON.
- RESIDENTIAL LOTS SHALL HAVE NO ACCESS OFF OF PRAIRIE VIEW ROAD OR THE FUTURE WESTFIELD BOULEVARD.
- ALL BOUNDARY CORNERS ARE 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET UNLESS OTHERWISE NOTED.
- UTILITY COMPANIES HAVE BEEN PROVIDED A COPY OF THIS PLAT FOR THEIR REVIEW.
- A SIX FEET (6') WIDE SIDEWALK SHALL BE REQUIRED ALONG PRAIRIE VIEW ROAD TO BE CONSTRUCTED AS PART OF A C.I.P. PROJECT.
- ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF ONE FOOT ABOVE THE HIGHEST TOP OF CURB ELEVATION AT THE FRONT OF THE LOT.

THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983. CENTERLINE ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 510
 THE THETA ANGLE AT SAID CITY MONUMENT IS 01°29'57"
 THE COMBINED CORRECTION FACTOR (CCF) IS 0.9999953
 PUBLISHED CITY COORDINATES ARE X=3,207,137.72 Y=10,388,529.14
 THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING IS
 N60°48'25"E, 178.128 FEET

FILED FOR RECORD THIS _____ DAY OF _____, 2014, IN YEAR _____, PLAT # _____
 PLAN RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # _____ OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.



STATE OF TEXAS
 COUNTY OF BELL

WEST TANGLEFOOT DEVELOPMENT, INC., A TEXAS CORPORATION, OWNER OF THE LAND SHOWN ON THIS PLAT AND REDUCED HEREIN AS FINAL PLAT OF NORTH GATE, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHERE HENCE IS SUBSCRIBED HERETO, HEREBY



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

1/3/17
Item #3
Regular Agenda
Page 1 of 3

APPLICANT / DEVELOPMENT: Chuck Lucko, All County Surveying, Inc on behalf of Larry Guess, JDLG Ventures, LLC

DEPARTMENT / DIVISION SUBMISSION & REVIEW: Dessie Redmond, Planner

ITEM DESCRIPTION: Z-FY-17-07: Hold a public hearing to consider and recommend action on a rezoning from the Single Family Three-Planned Development (SF3-PD) zoning district to the General Retail (GR) zoning district, on 0.647 +/- acres, Lots 8 & 9 and Part of Lots 10-12 & 18-20, Block 13, Hilldell Estates Subdivision, 30 & 50 S. Pea Ridge Road, Temple, Texas.

STAFF RECOMMENDATION: Based on the following compliance factors, staff recommends approval for a rezoning from the SF3-PD zoning district to the GR zoning district:

1. Surrounding zoning and anticipated non-residential development and growth along S. Pea Ridge Road and W. Adams Avenue;
2. Thoroughfare Plan;
3. Availability of public facilities to serve the subject property.

ITEM SUMMARY: The subject property contains 0.647 +/- acres and is currently undeveloped. There are existing retaining walls that run along the west and north property lines. It is anticipated the property will be developed with non-residential uses, similar to development and growth along S. Pea Ridge Road and W. Adams Avenue.

The subject property was originally platted in 1962 (attachments: Hilldell Estates Final Plat) and not within city limits. At that time, the plat showed the subject property as residential lots and the original alignment of W. Adams Avenue. In 1978, Hilldell Estates was annexed into the city limits under "A" zoning. The original Master Plan, adopted in 1944, says that "A" zoning was "one-family district" (attachments: 1944 Zoning Map). In 1995, the Planned Development was adopted by Ordinance (attachments: Ordinance 95-2321) and identifies zoning classification for a portion of Hilldell Estates subdivision and identifies development and dimensional standards for (1) single family detached homes, (2) industrialized modular homes and (3) mobile homes, which were occupied and existed at the time of ordinance adoption.

In 1999, W. Adams Avenue was realigned for the West Temple Community Park (attachments: West Temple Community Park Final Plat). The West Temple Community Park abuts the subject property to

the west. With the realignment of W. Adams Avenue the properties to the south of the subject property were encompassed for right-of-way (R-O-W) dedication. Currently, the subject property is the SF3-PD zoning district and the applicant is requesting a rezoning to the GR zoning district.

There is an existing 10 foot wide utility easement running north-south that bisects the property, which is also shown on the original plat (attachments: Surveyor's Sketch – Utility Abandonment Request - draft). The property owner has requested a utility easement abandonment. As of Wednesday, December 28, 2016, there were no objections from outside utility providers or city staff. This abandonment request is tentatively scheduled for a consent item agenda at the City Council meeting on January 19, 2017.

Along with the rezoning and abandonment request is a companion re-plat to subdivide the property into two lots (attachments: P-FY-17-04 JDLG Addition Final Plat - draft). Before the platting process can be finalized, the abandonment request must first be approved by Council.

There are other residential and non-residential uses that are permitted in the GR zoning district (attachments: Use Comparison Summary Table)

To the north is an existing residence* and to the south the property abuts W. Adams Avenue. To the east is Big Chew Chew's Restaurant and to the west is West Temple Community Park (attachments: Surrounding Properties Summary Table).

*For Reference: This residence was the site a rezoning request in Fiscal Year 2016 (Z-FY-16-21) located at 18 S. Pea Ridge Road. Council approved a rezoning from the SF3-PD zoning district to the Neighborhood Service (NS) zoning district (attachments: Ordinance 2016-4775).

COMPREHENSIVE PLAN (CP) COMPLIANCE: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan. A table summarizing the following discussion is attached: Comprehensive Plan Compliance Summary Table.

Future Land Use Map (CP Map 3.1)

The subject property is within the Suburban Residential character district. This character district is intended for mid-size single-family lots. This request is for future general retail development; therefore, this request is not consistent with the Suburban Residential character district. However, the area lends itself to transitioning into non-residential zoning and uses due to its location south of Georgia Avenue and adjacency to W. Adams Avenue and S. Pea Ridge Road. If the zoning is approved, the Future Land Use Map will need to be updated.

Thoroughfare Plan (CP Map 5.2)

The subject property is accessed off of S. Pea Ridge Road, a proposed collector. If additional R-O-W needs to be dedicated to meet the road standards, this will be addressed with the plat. While not

funded, Series Three Transportation Capital Improvement Program (TCIP) improvements to this section of Pea Ridge Road are scheduled for fiscal year 2019.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies a proposed community wide connector trail that runs along the north boundary of Lot 12 and crosses W. Adams Avenue and continues to the south. Trail requirements will be addressed with the plat.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 10-inch sewer line to the west of the property. Water is available through an existing 14-inch waterline along W. Adams Avenue. There are public facilities available to the site; therefore, the request complies with the City's public service capacities.

DEVELOPMENT REGULATIONS: A comparison summary table for non-residential dimensional standards in the SF3-PD & GR zoning districts is located in the (attachments: Non-Residential Dimensional Standards Comparison Table).

PUBLIC NOTICE: Seven property owners within 200 feet of the subject property were sent notice of the public hearing as required by state law and city ordinance. As of Thursday, December 29, 2016, zero returned notices have been received.

The newspaper printed notice of the public hearing on December 22, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

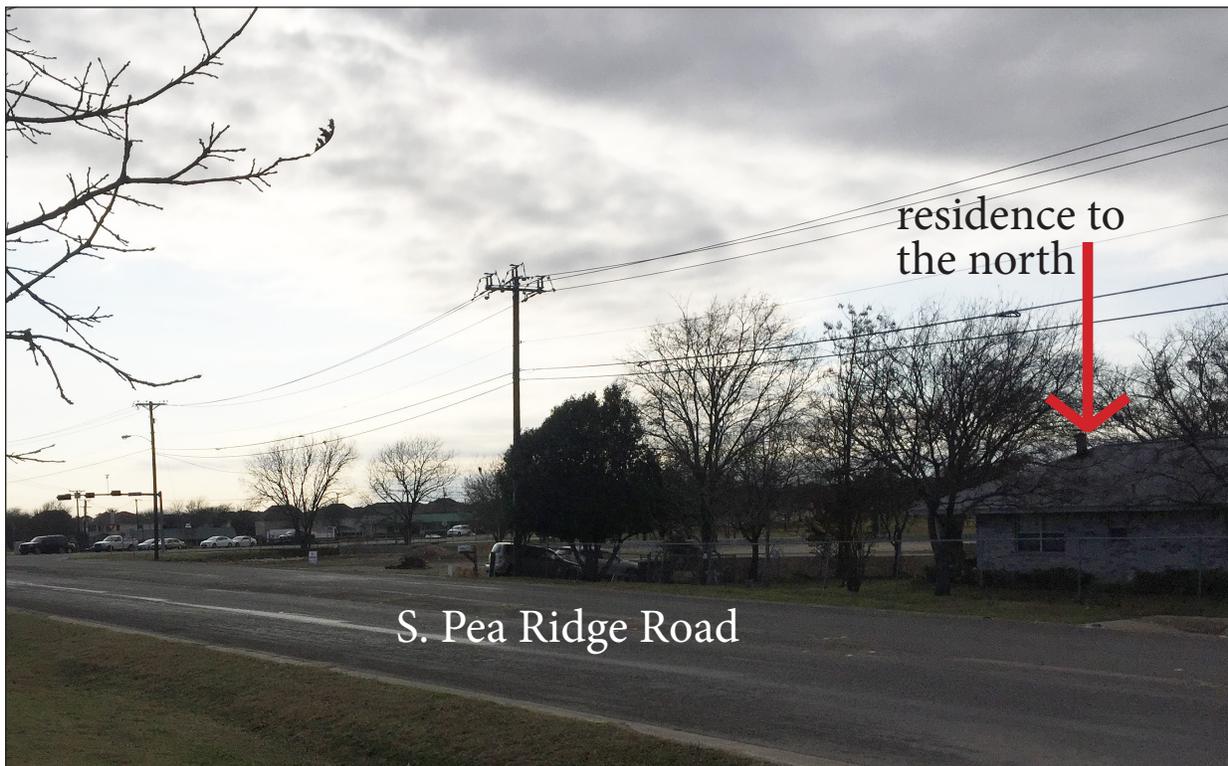
ATTACHMENTS:

- Site and Surrounding Property Photos
- Field Notes
- Hilldell Estates Final Plat
- 1944 Zoning Map
- Ordinance 95-2321
- West Temple Community Park Final Plat
- Surveyor's Sketch – Utility Abandonment Request - draft
- P-FY-17-04 JDLG Addition Final Plat – draft
- Location Map / Aerial
- Zoning Map / Future Land Use Map
- Thoroughfare & Trails Map / Utility Map
- Notification Map
- Use Comparison Summary Table
- Surrounding Properties Summary Table / Comprehensive Plan Compliance Summary Table / Non- Residential Dimensional Standards Comparison Table
- Ordinance 2016-4775

Site Photos



Looking north across W. Adams Avenue into the subject property.



Property to the north of subject property (existing residence).

Site Photos



Looking south across the subject property towards W. Adams Avenue.



Property to the west (West Temple Community Park).

Site Photos



Property to the east (Big Chew Chew's).

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

November 22, 2016

Surveyor's Field Notes for:

0.647 ACRE, situated in the **B. ROBERTSON SURVEY, ABSTRACT 17**, Bell County, Texas, being all of Lots 8 and 9 and a portion of Lots 10, 11, 12, 18, 19 and 20, Block 13 of Hildell Estates, an addition in the City of Temple, Bell County, Texas of record in Cabinet A, Slide 210-A, Plat Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found on the west right of way of Pea Ridge Road, Being the northeast corner of said Lot 8, same being the southeast corner of Lot 7 of said Block 13, for the northeast corner of this tract;

THENCE in a southerly direction, with the east line of said Block 13, same being the west right of way of Pea Ridge Road, the following two (2) courses and distances:

- 1) **S. 16° 41' 22" W., 149.89 feet**, to a 1/2" iron rod with "Tibbit" cap found, being the southeast corner of said Lot 10, same being the northeast corner of said Lot 11, for a corner of this tract;
- 2) **S. 16° 45' 56" W., 28.87 feet**, to a concrete TxDot monument found on the north right of way of F. M. 2305 (West Adams Avenue) (*Vol. 3288, Page 323*), for the southeast corner of this tract;

THENCE in a southwesterly direction, with the north right of way of F. M. 2305, **S. 71° 56' 44" W., 64.98 feet**, (*R.O.W. S. 71° 43' 15" W.*), to a calculated point, for the southwest corner of this tract;

THENCE in a northwesterly direction, over and across said Block 13, **N. 20° 32' 56" W., 270.42 feet**, to a calculated point on the north line of said Lot 20, same being the south line of Lot 21 of said Block 13, for the northwest corner of this tract;

THENCE in an easterly direction, with the north line of said Lot 20, same being the south line of said Lot 21, **S. 73° 29' 33" E., 107.60 feet**, to a 3/4" iron pipe found, being a common corner of said Lots 20, 21, 7 and 8, for a corner of this tract;

THENCE continuing in an easterly direction, with the north line of said Lot 8, same being the south line of said Lot 7, **S. 73° 23' 46" E., 109.47 feet**, to the **POINT OF BEGINNING** and containing 0.647 Acre of Land.

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. 3. The theta angle at City Monument No. 3 is 01°31'42". The combined correction factor (CCF) is 0.999847. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Published City coordinates for City Monument No. 3 are N.= 10,368,408.89 E.= 3,225,333.77 Reference tie from City Monument No. 3 to the northeast corner of this 0.647 acre tract is N 53°53'59" W 24994.22 feet.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed October 6, 2016

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

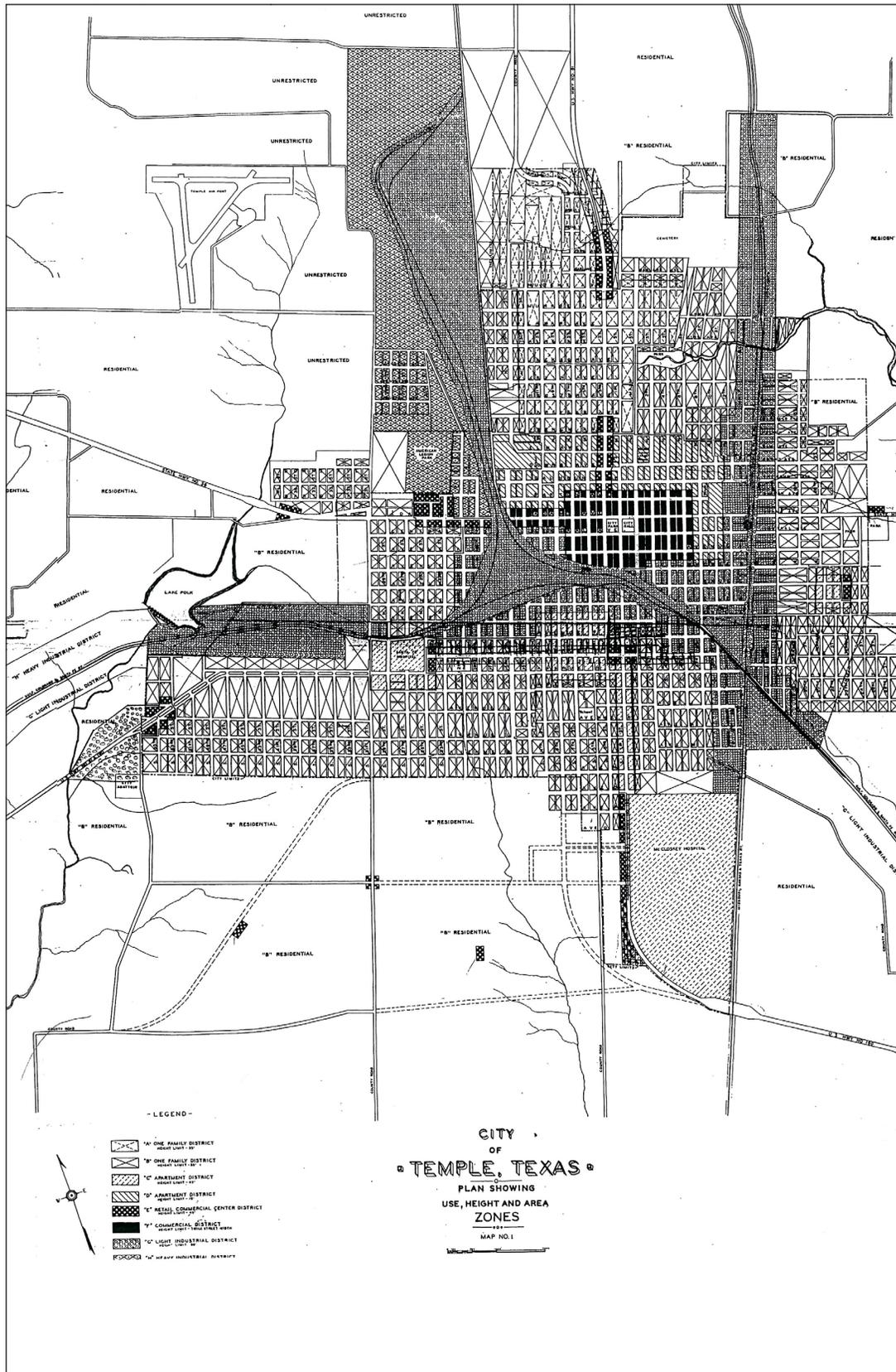
Tx. Firm Lic. No. 10023600

server/projects/pro160000/16700/160787/160787 Zoning.doc



Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636

A handwritten signature in blue ink, appearing to read "C. Lucko", is written over the bottom portion of the professional seal.



1944 Zoning Map

ORDINANCE NO. 95-2321

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



ATTEST:

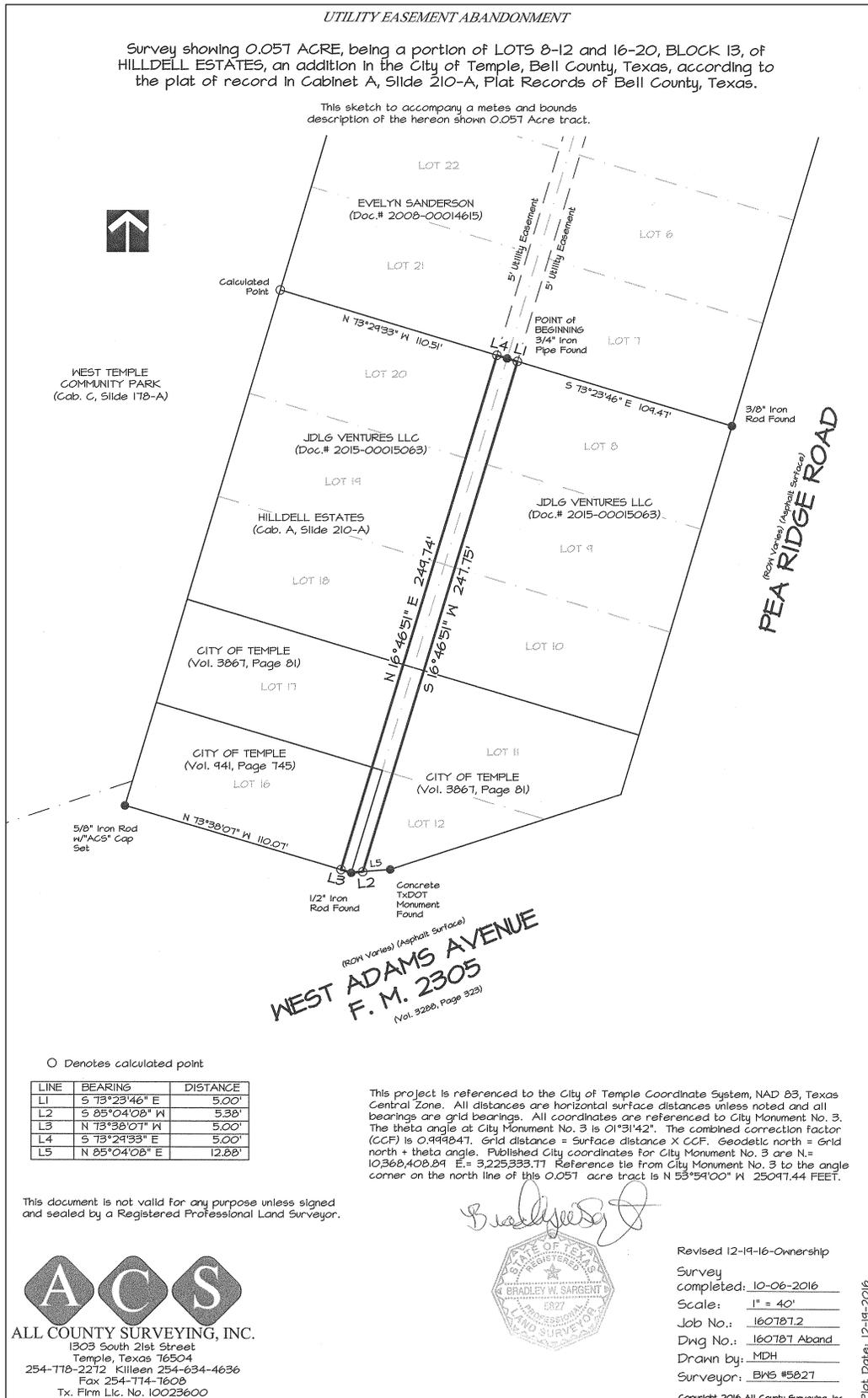
Clydette Entzminger
Clydette Entzminger
City Secretary

THE CITY OF TEMPLE, TEXAS

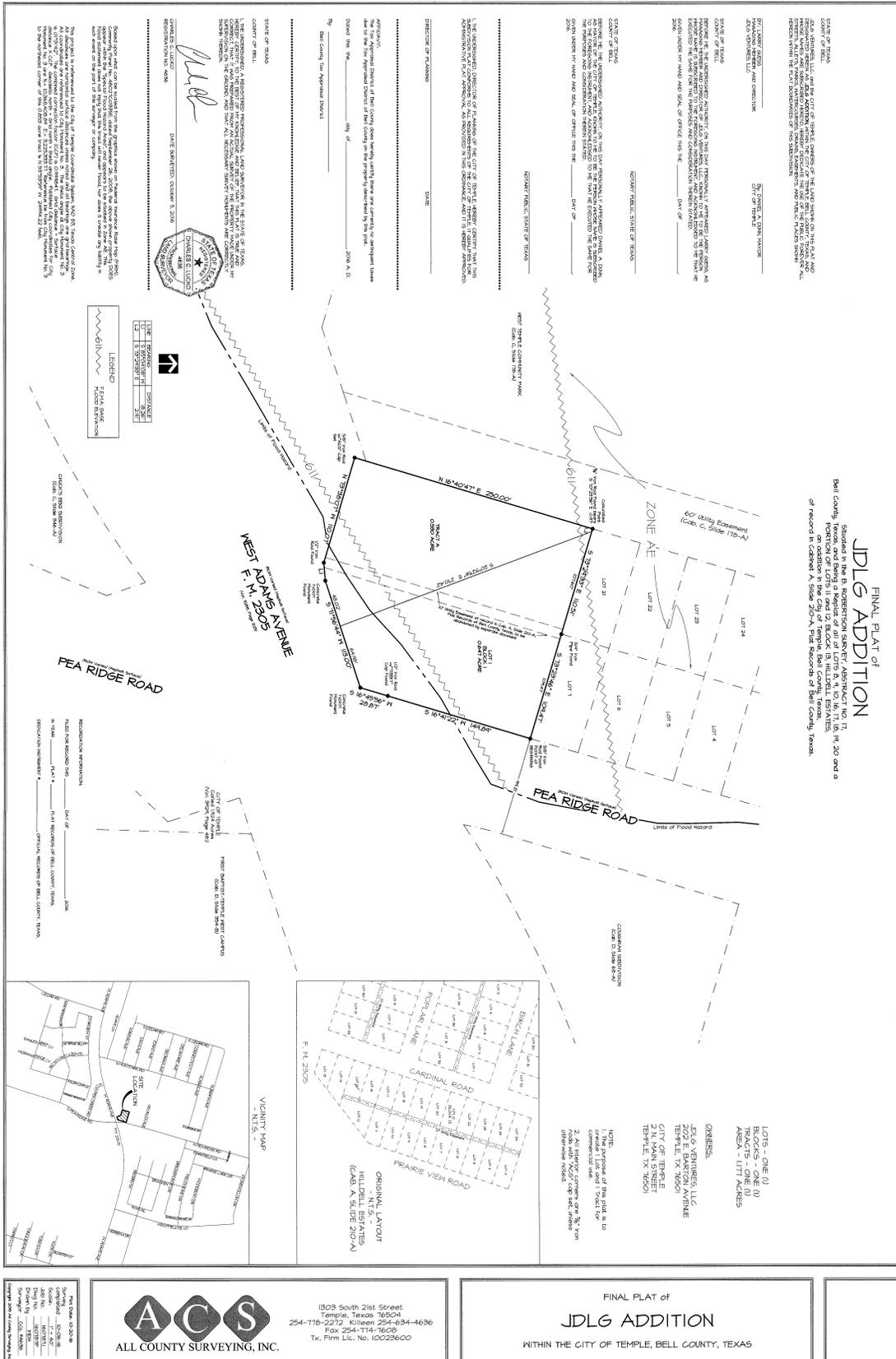
J. W. Perry
J. W. PERRY, Mayor

APPROVED AS TO FORM:

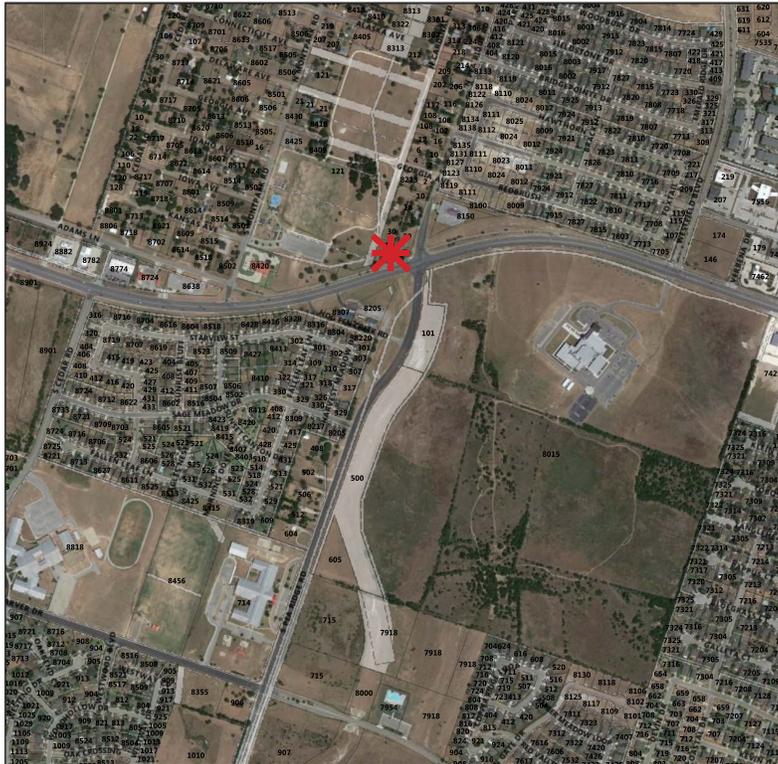
Jonathan Graham
Jonathan Graham
City Attorney



Surveyor's Sketch - Utility Abandonment Request - draft



P-FY-17-04 JDLG Addition Final Plat - draft



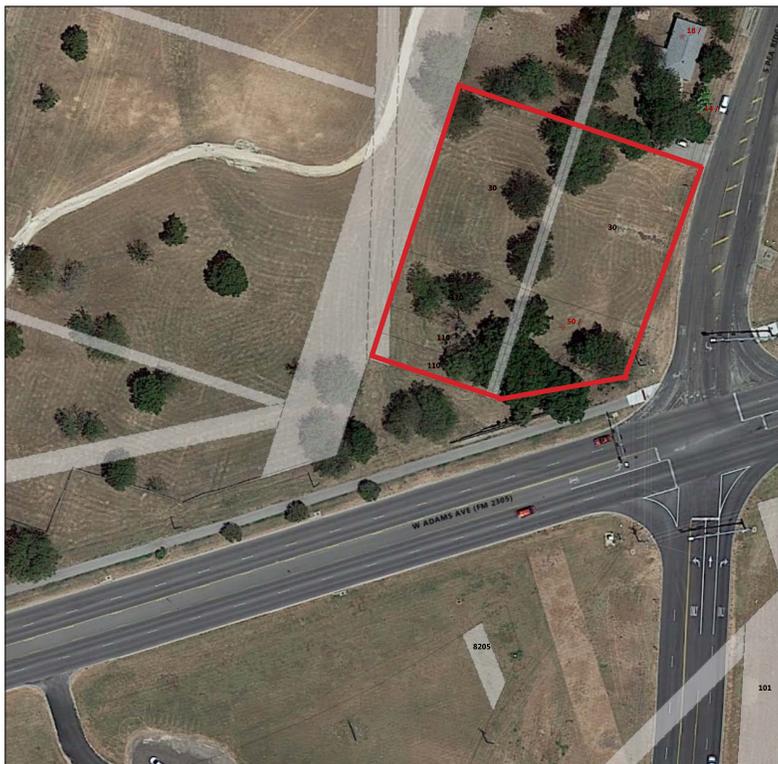
SF3-PD to GR
Location Map
 Zoning Case:
 Z-FY-17-07
 Address:
 30 & 50 S. Pea Ridge Road

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

dredmond
 Date: 12/15/2016



Location Map



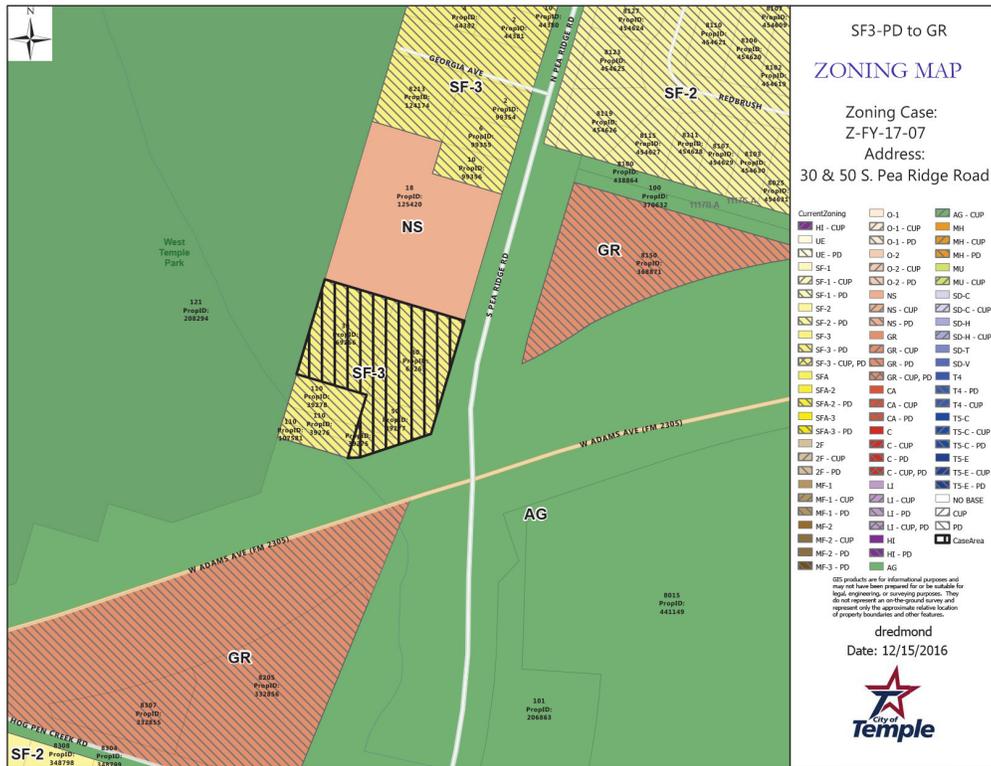
SF3-PD to GR
AERIAL
 Zoning Case:
 Z-FY-17-07
 Address:
 30 & 50 S. Pea Ridge Road

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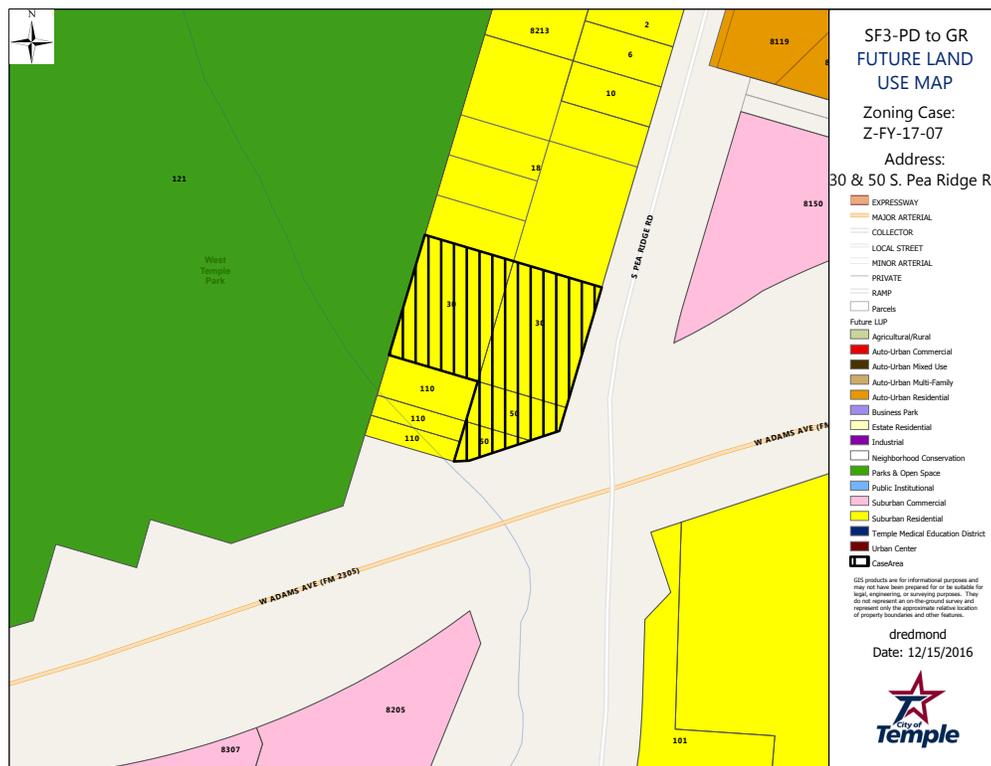
dredmond
 Date: 12/15/2016



Aerial



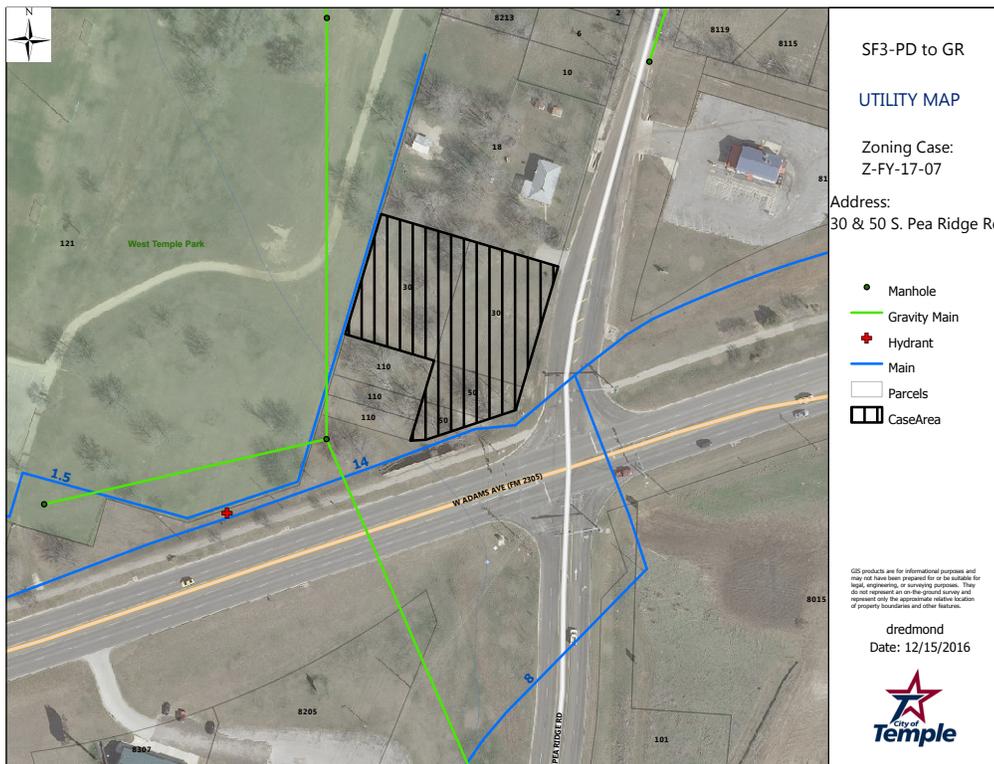
Zoning Map



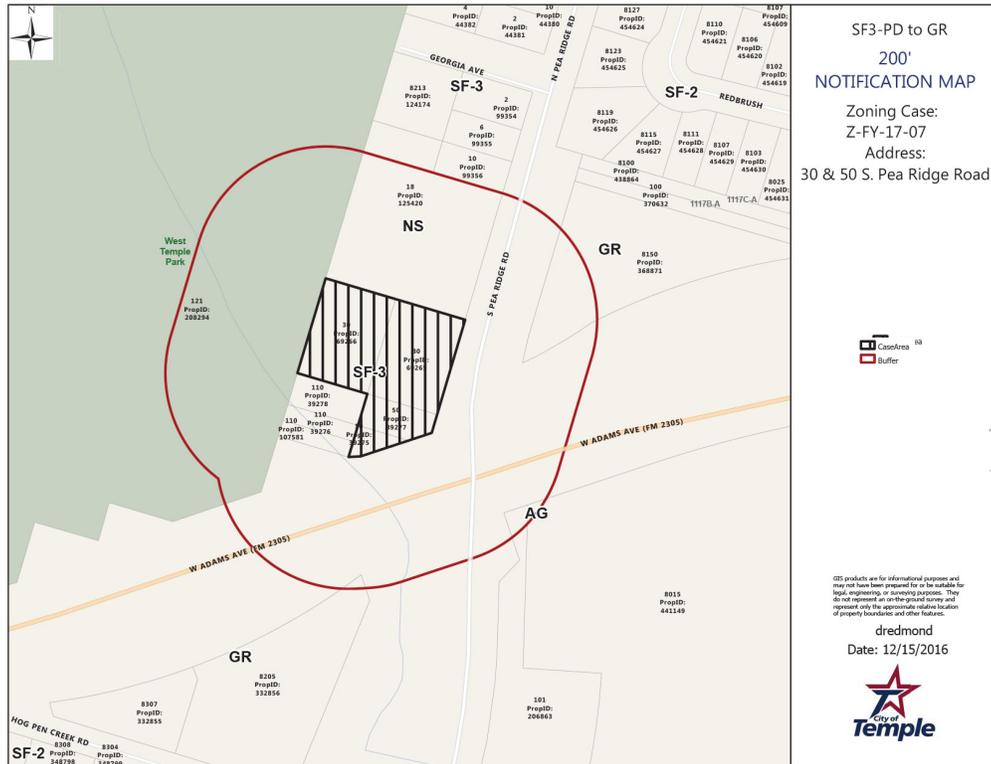
Future Land Use Map



Thoroughfare & Trails Master Plans



Utility Map



Notification Map

Use Comparison Summary Table

	Existing SF3	Proposed GR
Residential Uses	Single-family detached dwelling Zero lot line dwelling	Boarding or rooming house *Family or group home Home for the aged Two-family dwelling (duplex)
Agricultural Uses	Farm, ranch, orchard	Farm, ranch, orchard *Kennel without veterinary hospital
Commercial Uses	none	Flea market (indoors) Print shop Plumbing shop Upholstery shop
Education & Institutional Uses	*Child care: group day care home *Community Center Place of Worship	Place of worship *Transitional shelter Art gallery or museum *Emergency shelter
Industrial Uses	none	Laboratory medical, dental, scientific or research Recycling collection location (L)
Office Uses	none	Office *Warehouse office
Overnight Accommodations	none	Hotel or motel *Recreational vehicle park
Entertainment Uses	Park or playground *Playfield or stadium	Alcoholic beverage sales for on premise consumption - beer and wine only less than 75% revenue from alcohol Country club Roller or ice rink
Restaurant Uses	none	Restaurant (drive-in and not drive- in)
Retail & Service Uses	none	Most retail and service uses
Transportation Uses	none	Emergency vehicle service Parking lot or structure
Utility & Service Uses	Fire station *Utility and service uses	Radio or television tower Shop yard
Vehicle Service Uses	none	Auto leasing, rental Car wash Fuel sales (L) Vehicle servicing, minor (L)

*Conditional Use Permit required
(L) Permitted by Right Subject to Limitations

Surrounding Properties Summary Table

Direction	FLUM	Zoning	Current Land Use
Site	Suburban Residential	SF3-PD	vacant
North	Suburban Residential	NS	existing residence
South	major arterial	n/a	major arterial
West	Parks & Open Space	AG	West Temple Park
East	Suburban Commercial	GR	Big Chew Chew's

Comprehensive Plan Compliance Summary Table

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	No
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
UDC	Surrounding zoning and anticipated non-residential development and growth along S. Pea Ridge Road and W. Adams Avenue	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Non-Residential Dimensional Standards Comparison

	Existing SF3	Proposed GR
Minimum Lot Size	n/a	n/a
Minimum Lot Width	n/a	n/a
Minimum Lot Depth	n/a	n/a
Front Setback	15 ft	15 ft
Side Setback	20 ft	10 ft
Side Setback (corner)	15 ft	10 ft
Rear Setback	10 ft	0*
Max Building Height	2.5 stories	3 stories

* = See Section 4.4 Measurements & Special Cases

ORDINANCE NO. 2016-4775
(PLANNING NO. Z-FY-16-21)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM SINGLE FAMILY THREE PLANNED DEVELOPMENT DISTRICT TO NEIGHBORHOOD SERVICE DISTRICT ON LOTS 4-7 AND LOTS 21-25, BLOCK 13, HILDELL ESTATES, LOCATED AT 18 SOUTH PEA RIDGE ROAD; 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 a rezoning from Single Family Three Planned Development District to Neighborhood Service District on Lots 4-7 and Lots 21-25, Block 13, Hilldell Estates, located at 18 South Pea Ridge Road, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 3: 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 4: 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 5: 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 2nd day of June, 2016.

PASSED AND APPROVED on Second Reading on the 16th day of June, 2016.

THE CITY OF TEMPLE, TEXAS



DANIEL A. DUNN, Mayor

ATTEST:



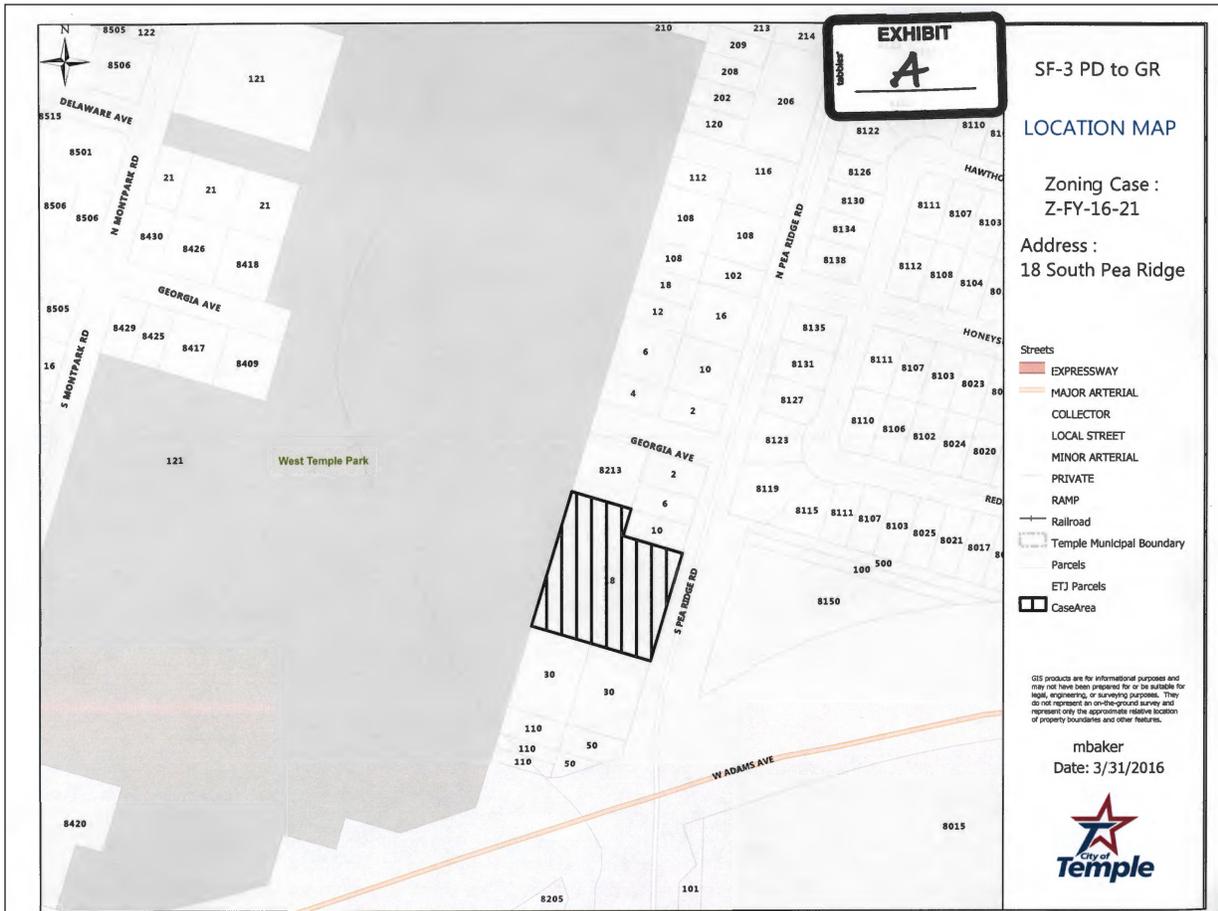
Lacy Borgeson
City Secretary



APPROVED AS TO FORM:



Kayla Landeros
City Attorney





PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

1/03/17
Item 4
Regular Agenda
Page 1 of 3

APPLICANT / DEVELOPMENT: Friars Ridge, LTD

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: Z-FY-17-08– Hold a public hearing to discuss and recommend action on a rezoning from Commercial (C) to Multi-Family Two (MF-2) on 34.80 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located between South 5th Street and Lowes Drive.

STAFF RECOMMENDATION: Staff recommends approval of the requested rezoning from Commercial (C) District to Multi-Family Two (MF-2) District for the following reasons:

1. Compliance with surrounding zoning and land uses;
2. Compliance with the Thoroughfare Plan; and
3. Compliance with availability of public facilities to serve the subject property

ITEM SUMMARY: The applicant requests this rezoning from Commercial (C) to Multi-Family Two (MF-2) to allow future multiple family development. The applicant has indicated he is considering a mix of multi-family uses, as well as other residential uses. Although the current Commercial zoning district allows several types of single-family and multi-family uses, such as duplexes, it does not allow apartments.

The purpose of the MF-2 zoning district is to allow more modest sized dwelling units and an increased number of units within the multifamily complex. Maximum density is 20 units per acre in buildings 3 to 4 stories. The MF-2 zoning district provides more modest sized dwelling units within the multifamily complex. This district should be designed for a higher density use of the land with the amenities and facilities, such as a major thoroughfare, parks, transit, and utilities close by and adequate for the volume of use. The MF-2 zoning district allows most residential uses, except for manufactured homes. It also allows some residential support uses such as school and places of worship.

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

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

The subject property is within the **Auto-Urban Commercial**, **Suburban Commercial**, and **Parks & Open Space** character districts of the *Choices '08* City of Temple Comprehensive Plan. The applicant's requested MF-2 District does not comply with these character districts, but it does appear compatible with the surrounding uses, especially with the **Barrington Suites & Apartments** to the north on South 13th Street and with the **Encore Landing Apartment Homes** to the south along Marlandwood Road.

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

The entrance into the subject property is from South 13th Street, a local street. Multiple Family developments are appropriate along local streets. A small portion of the subject property fronts the frontage road along SW H.K. Dodgen Loop (Loop 363) at its intersection with Friar's Creek. It appears ingress/egress into the subject property is limited. Staff anticipates discussing additional thoroughfare options during the future platting process for the subject property.

Availability of Public Facilities (CP Goal 4.1)

An existing 8-inch water line is located within the South 13th Street right-of-way at the property's frontage and an existing 6-inch water line along the subject property's west boundary near the Lowes Store. Existing sewer lines are located within the west right-of-way of South 13th Street and within the subject property's east boundary along Friar's Creek.

Proposed City Council Meeting Schedule

This item is tentatively scheduled for a City Council public hearing (first reading) on February 2, 2017. The second reading of City Council is tentatively scheduled for February 16, 2017.

PUBLIC NOTICE: Twenty-One (21) notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Thursday, December 29, 2016, no notices have been received in favor of the proposed rezoning and no notices have been returned in opposition to the proposed rezoning.

The newspaper printed notice of the public hearing on December 22, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site and Surrounding Property Photos
Location map with Aerial
Zoning Map
Future Land Use and Character Map
Thoroughfare Map

Utility Map
Notification Map
Development Regulations
Surrounding Property and Uses
Comprehensive Plan Compliance

SURROUNDING PROPERTY AND USES:

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

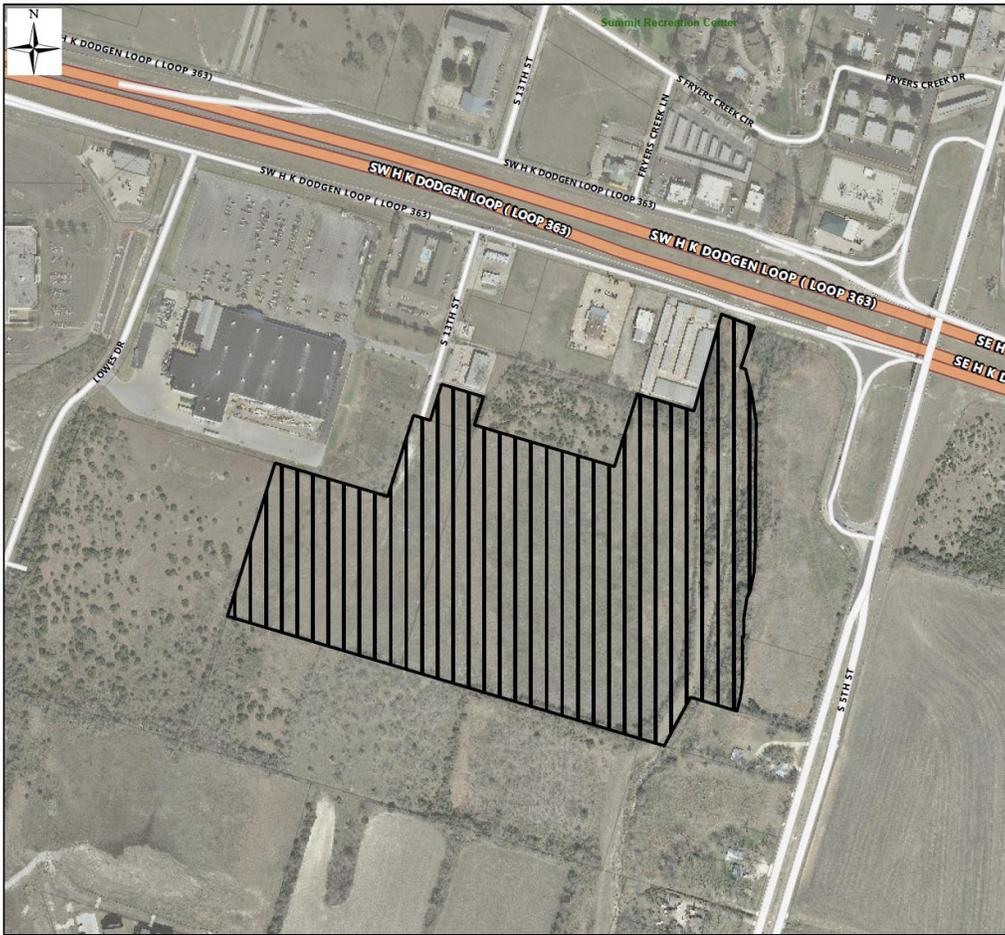
Direction	Zoning	Current Land Use	Photo
Subject Property	C	Undeveloped Property	
			
			

Direction	Zoning	Current Land Use	Photo
East	C	Undeveloped Property, Office, & Personal Service	
			
			

Direction	Zoning	Current Land Use	S 5 th St Photo
West	C	Retail & Undeveloped Property	 <p data-bbox="966 472 1161 514">Lowes Store</p> 
South	C and SF-1	Undeveloped Property & Personal Service	

Direction	Zoning	Current Land Use	Photo
			
North	C	Retail, Commercial & Freeway	 <p data-bbox="797 1646 927 1682">S 13th St</p>

Direction	Zoning	Current Land Use	Photo
			 <p>S 13th St</p>

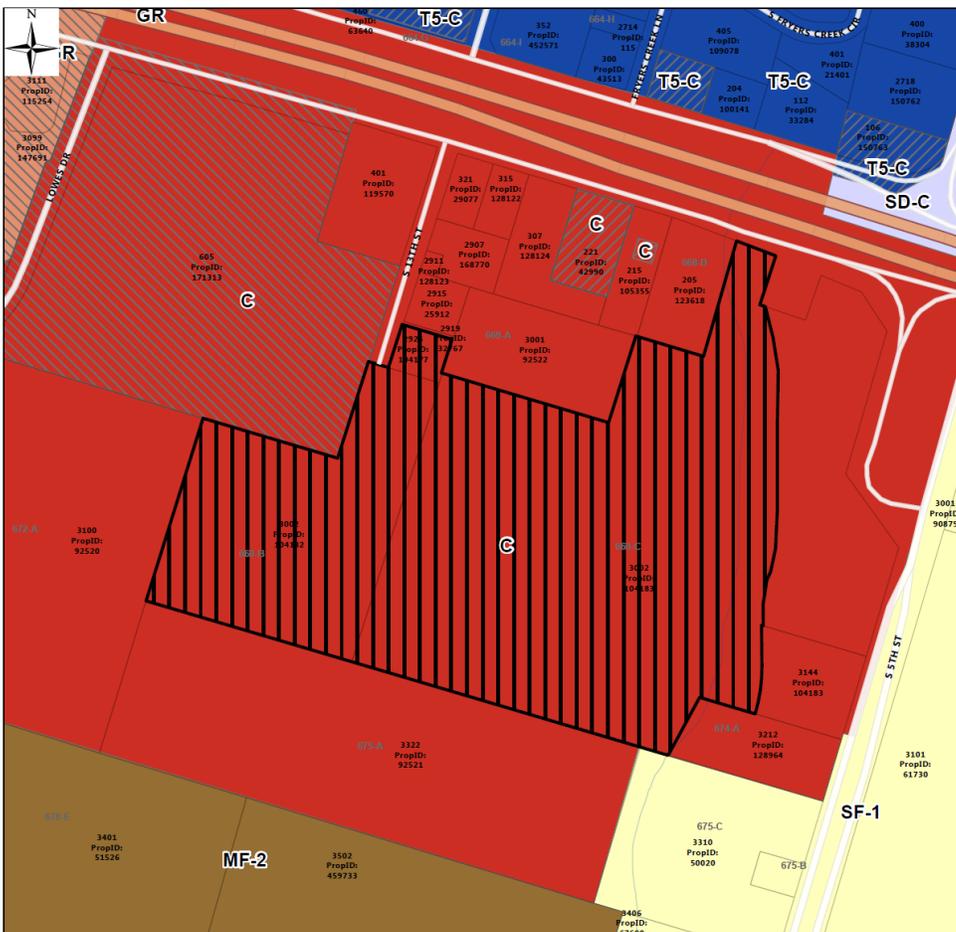


C to MF-2
 AERIAL MAP
 Zoning Case :
 Z-FY-17-08

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

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

tlyerly
 Date: 12/15/2016



C to MF-2
 Zoning Case :
 Z-FY-17-08

Address :
 Between S. 5th & Lowes Dr.

- | | |
|-------------|---------------|
| O-1 | AG - CLUP |
| HI - CLUP | O-1 - CLUP |
| UE | O-1 - PD |
| UE - PD | O-2 |
| SF-1 | O-2 - CLUP |
| SF-1 - CLUP | O-2 - PD |
| SF-1 - PD | NS |
| SF-2 | NS - CLUP |
| SF-2 - CLUP | NS - PD |
| SF-2 - PD | GR |
| SF-3 | GR - CLUP |
| SF-3 - PD | GR - PD |
| SFA | GR - CUP, PD |
| SFA-2 | CA |
| SFA-2 - PD | CA - CLUP |
| SFA-3 | CA - PD |
| SFA-3 - PD | C |
| 2F | C - CLUP |
| 2F - CLUP | C - PD |
| 2F - PD | C - CLUP, PD |
| MF-1 | LI |
| MF-1 - CLUP | LI - CLUP |
| MF-1 - PD | LI - PD |
| MF-2 | LI - CLUP, PD |
| MF-2 - CLUP | HI |
| MF-2 - PD | HI - PD |
| MF-3 - PD | AG |
| NO BASE | CaseArea |
| CLUP | |
| PD | |

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tlyerly
 Date: 12/15/2016





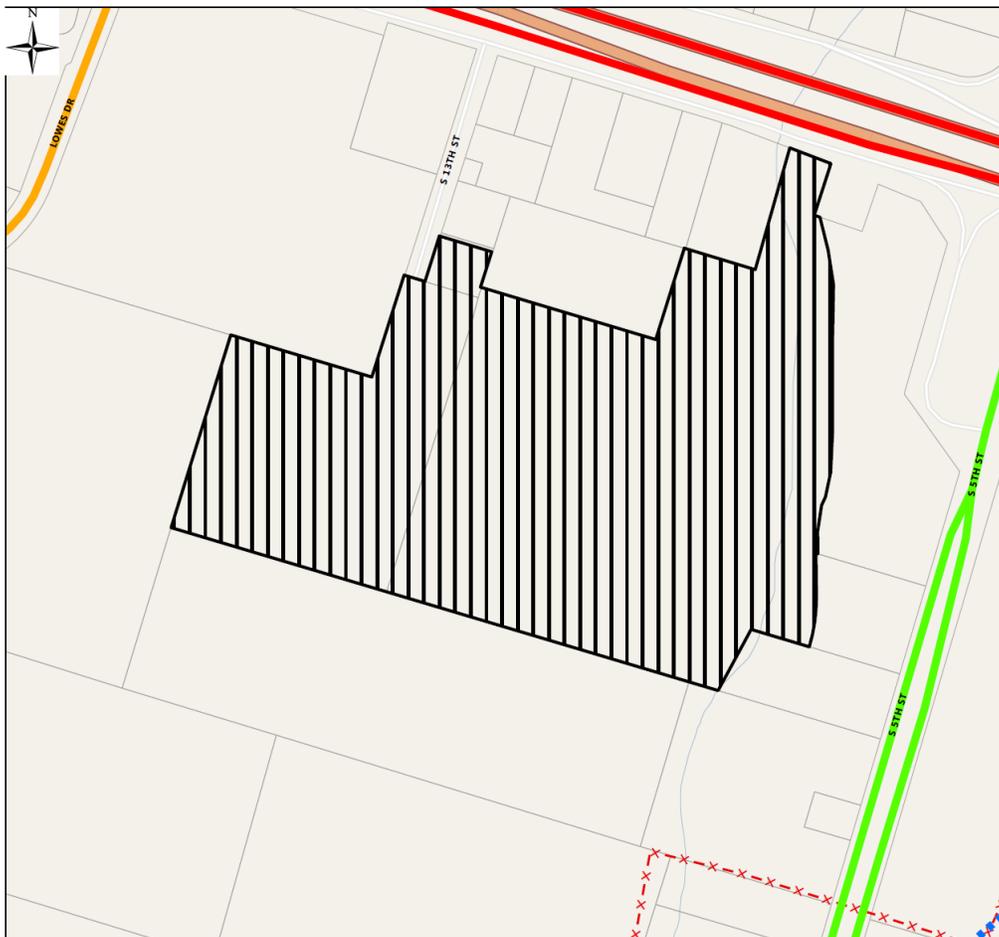
C to MF-2
FUTURE LAND
USE MAP

Zoning Case :
Z-FY-17-08

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

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tlyerly
Date: 12/15/2016



C to MF-2
THOROUGHFARE
AND TRAILS MAP

Zoning Case :
Z-FY-17-08

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

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tlyerly
Date: 12/15/2016





C to MF-2

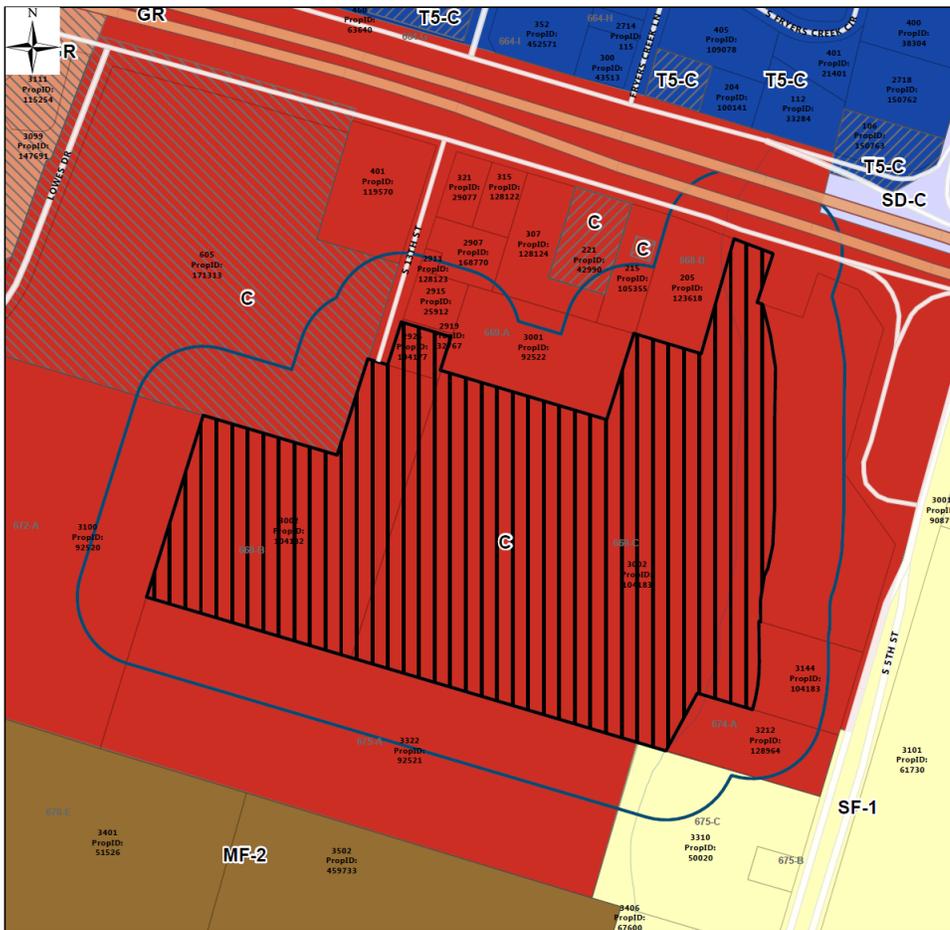
UTILITY MAP

Zoning Case :
Z-FY-17-08

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

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tlyerly
Date: 12/15/2016



C to MF-2

200'
NOTIFICATION MAP

Zoning Case :
Z-FY-17-08

Address :

Between S. 5th & Lowes 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
ZF	C	T5-C - CUP
ZF - CUP	C - CUP	T5-C - PD
ZF - 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	PD
MF-2 - PD	HI	Buffer
MF-3 - PD	HI - PD	CaseArea
	AG	

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tlyerly
Date: 12/15/2016



DEVELOPMENT REGULATIONS:

	<u>Proposed (MF-2)</u>	<u>Current (C)</u>
Minimum Lot Size	N/A	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Front Setback	15 Feet	30 Feet Centerline (UDC Sec. 4.4.4F.d)
Side Setback	20 Feet	**0 Feet
Side Setback (corner)	UDC Sect. 5.3.3	10 Feet
Rear Setback	UDC Sect. 5.3.3	0 Feet
Max Building Height	4 Stories	* ALH
* ALH - Any Legal Height not Prohibited by other Laws		
** UDC Sect 4.4 - Measurements and Special Case		

Use Type	Multi-Family Two (MF-2)	Commercial (C)
Agricultural Uses	* Farm, Ranch or Orchard	* Farm, Ranch or Orchard * Animal Shelter (CUP)
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Triplex * Apartment * Home for the Aged	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home (CUP) * Home for the Aged
Retail & Service Uses	* Exercise Gym (CUP)	* All Retail & Service Uses * Veterinary Hosp. (Kennels (CUP))
Commercial Uses	* None	* Bakery / Confectionary * Cabinet Shop * Open Storage of furniture, appliances or machinery
Industrial Uses	* None	* Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	* Park or Playground	* Park or Playground * All Alcohol (On Premise Consumption) > 75% (CUP)
Vehicle Service Uses	* None	* Auto Leasing, Rental * Auto Sales - New & Used * Car Wash * Vehicle Servicing (Minor)
Overnight Accomodations	* Hotel or Motel	* Hotel or Motel

Surrounding Property & Uses			
Direction	Future Land Use Map	Zoning	Current Land Use
Site	Auto-Urban Commercial, Suburban Commercial, and Parks & Open Space	C	Undeveloped Property
North	Auto-Urban Commercial and Expressway	C	Retail, Commercial, and Freeway
South	Suburban Commercial and Parks & Open Space	C and SF-1	Undeveloped Property and Personal Service
East	Suburban Commercial and Parks & Open Space	C	Undeveloped Property, Office, and Personal Service
West	Auto-Urban Commercial and Suburban Commercial	C	Retail and Undeveloped Property

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

:

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

CP = Comprehensive Plan STP = Sidewalk and Trails Plan



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

01/03/17
Item #5
Regular Agenda
Page 1 of 4

APPLICANT / DEVELOPMENT: Turley Associates (On behalf of Omar Crisp)

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: Z-FY-17-09 Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) district to Planned Development Urban Estate (PD-UE) district, with Development / Site Plan approval on 31.043 +/- acres, situated in the Sarah Fitzhenry Survey, Abstract No. 312, Bell County, Texas, located at 8260 Cedar Creek Road.

STAFF RECOMMENDATION: Staff recommends approval for a rezoning from Agricultural (AG) district to Planned Development-Urban Estate (PD-UE) district for the following reasons:

1. That the proposed Planned Development demonstrates compliance with the provisions of the Planned Development Criteria as required by UDC Section 3.4.5;
2. The Planned Development-Urban Estate (PD-UE) zoning is compatible with the Future Land Use Map's Agricultural/Rural District;
3. The Planned Development-Urban Estate (PD-UE) zoning is compatible with surrounding zoning, existing and anticipated uses;
4. The Planned Development-Urban Estate (PD-UE) complies with the Thoroughfare Plan; and
5. Public and on-site facilities are available to serve the subject property.

Staff recommends approval of Planned Development - Urban Estate (PD-UE), subject to the following conditions:

1. Submittal of a Development / Site Plan confirming minimum lot size of 22,500 square feet in area,
2. Development / Site Plan showing rural street design with a minimum twenty-two (22') feet of pavement, rollover curb and drainage ditches,
3. Detached single-family residential development meeting the following minimum dimensional standards:
 - a. 60 feet wide
 - b. 100 feet deep
 - c. 25 foot front,
 - d. 7.5 foot side,
 - e. 15 foot (corner) side,
 - f. 10 foot rear
 - g. 3 Stories in height

4. Street signage prohibiting on-street parking, and
5. That the Director of Planning, with consultation as needed by the Development Review Committee (DRC), may be authorized to approve minor changes to the Development / Site Plan which include but not limited to: lot configuration and size, reduction of density and overall Development / Site Plan layout.

ITEM SUMMARY: The subject property contains a 31.043 +/- acre tract, which is being proposed for rezoning from Agricultural (AG) district to Planned Development – Urban Estate (PD-UE) district to allow for the development of a 51-lot single family residential subdivision. The property is currently developed with one single family residence on the larger 41 +/- acre tract.

While the applicant initially requested Single-Family One (SF-1), which allows 7,500 square foot lots, staff has since met with the applicant, who has agreed to proceed with the request as a Planned Development as described in the Item Summary. Future development will consist of minimum ½ acre lots, so that on-site septic can be provided consistent with UDC Section 8.2.7F.2. In addition, the requested density will be consistent with that of the Urban Estate (UE) zoning district, requiring the minimum 22,500 square foot lot size, yielding approximately 51 lots. It is noteworthy, that desired dimensional standards are typical of the SF-1 district. The 7.5-foot side yard setback, in particular, is better accommodating for some of the narrower lots for side entry garages, than the UE's 15-foot side yard setback.

PLANNED DEVELOPMENT (UDC SEC. 3.4): A Planned development is 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 / site plan approval.

As a Planned Development, per UDC Sec.3.4, a Development / Site Plan is binding and subject to review and approval by City Council as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance.

Further, this Planned Development (PD) concept, as a hybrid of the SF-1 & UE districts, provides for the dimensional standards that the applicant is desiring. At the same time, the PD concept codifies the rural characteristics of the surrounding area to be maintained. As such, the conceptual layout will be attached as the Development / Site Plan and included as the Exhibit with the Rezoning Ordinance. Unfortunately, a conceptual Development / Site Plan was not available at the time of staff report circulation nor was it circulated to the Development Review Committee (DRC) for their review. Staff is hopeful that a conceptual plan will be available for Planning & Zoning Commission's review and public hearing.

In determining whether to approve, approve with conditions or deny a Planned Development application, the Planning & Zoning Commission and City Council must consider criteria as set forth in UDC Section 3.4.5 A-J. The Planned Development Criteria and Compliance Summary is attached.

A formal subdivision plat is anticipated to be submitted in the future and will be reviewed by the Development Review Committee (DRC). Additionally, parkland dedication will be addressed during this time. While no parkland is proposed to be dedicated, parkland dedication fees will be paid instead. The plat will be scheduled for the Planning & Zoning Commission when it is deemed

administratively complete. It is not known at this time whether the Planning & Zoning Commission will be the final plat authority.

While it is anticipated for the property to be developed with detached single-family uses, there are a number of residential and non-residential uses that are permitted by right in the UE zoning district. The SF-1 is also provided as a point of reference. However, the permitted uses for the Planned Development will be reflective of the underlying UE district. The uses include but are not limited to those shown in the attached table.

COMPREHENSIVE PLAN (CP) COMPLIANCE: Compliance to goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan are summarized by the attached Comprehensive Plan Compliance table but further described below:

Future Land Use Map (CP Map 3.1)

The subject property is entirely within the Agricultural / Rural land use district. The Agricultural / Rural district is intended for areas that do not have adequate public facilities and may, therefore have on-site utilities. This district is also meant to protect areas in active farm and/or ranch use. It is also a “holding” district along with the Agricultural (AG) zoning designation after annexation until another district is requested by the property owner. While the proposed lots will be a minimum ½ acre in size, the recommended Planned Development – Urban Estate is consistent with the Agricultural / Rural Future Land Use Map designation.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from both State Hwy 317 and Cedar Creek Road. While SH 317 is shown as a major arterial, Cedar Creek Road is shown on the Thoroughfare Plan as a proposed minor arterial. The anticipated final plat will address any needed right of way dedication for both. To date, no dedication issues have been identified by staff but will be further evaluated with a forthcoming plat. No Transportation Capital Improvement Program (TCIP) improvements scheduled through FY 2024 have been identified.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available within the airport property, approximately 6700 feet away by direct “line of sight”. As indicated earlier in this report, the applicant would be seeking to provide on-site septic on the ½ acre-sized lots. Water is available and provided through Pendleton Water Supply Corporation. The Letter of Water Availability from Pendleton Water Supply Corporation is attached.

Temple Trails Master Plan Map and Sidewalks Ordinance

No trails are shown on the Trails Master Plan, however, as a major arterial, a 6’ sidewalk is required along SH 317. Additionally, as a proposed minor arterial, a 6-foot sidewalk will be required along Cedar Creek Road. Provisions for the sidewalk will be addressed during the plat review stage.

DEVELOPMENT REGULATIONS: The attached table compare and contrast, the current Agricultural development standards with the proposed Planned Development – Urban Estate (PD-UE) standards. The PD-UE standards in this case, are a hybrid of both the Single-Family One (SF-1) and the Urban Estate (UE) standards as provided for in UDC Section 4.5.

PUBLIC NOTICE: Ten notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Thursday December 29, 2016 at 12:00 PM, no notices have been received. An update regarding late notices, will be provided at the Planning & Zoning Commission meeting, if necessary.

The newspaper printed notice of the public hearing on December 22, 2016, in accordance with state law and local ordinance.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This rezoning is scheduled for 1st Reading on February 2, 2017 and 2nd Reading on February 16, 2017.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Boundary Survey (Exhibit A)
- Planned Development Criteria Compliance Summary (UDC Sec. 3.4.5)
- Photos
- Maps
- Tables
- Letter of Water Availability (Pendleton Water Supply Corporation)

Planned Development Criteria and Compliance Summary

UDC Code Section 3.4.5 (A-J)	Yes/No	Discussion / Synopsis
A. The Plan Complies with all provisions of the Design and Development Standards Manual, this UDC and other Ordinances of the City.	YES	It is fully anticipated that the development / site plan attached with the rezoning ordinance will conform to all applicable provisions of the UDC as well as to dimensional, developmental and design standards adopted by the City for any new residential development.
B. The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on natural resources of the surrounding impacts and neighborhood is mitigated.	YES	Drainage and other related engineering will be addressed at the platting stage. No issues have been identified related to the preservation of existing natural resources on the property.
C. The development is in harmony with the character, use and design of the surrounding area.	YES	The project site is located at the northeast corner of State Highway 317 & Cedar Creek Road. The surrounding area is rural in character and the proposed Planned Development - Urban Estate zoning will be keeping with that character, which will include a Development Plan for residential development. The residential development will include platted lots with a minimum 22,500 square feet, which is the minimum square footage necessary for on-site septic systems.
D. Safe and efficient vehicular and pedestrian circulation systems are provided.	YES	Vehicular circulation will be formally addressed during the platting stage. No circulation issues have been identified with the companion development / site plan.
E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.	YES	Parking will be provided for each single family residence in accordance with UDC Section 7.5
F. Streets are designed with sufficient width and suitable grade and location to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.	YES	Streets will be developed in accordance with the design standards in accordance with UDC Section 8.2 requirements and reviewed during the platting stage of development.
G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.	YES	Compliance and consistency with the Thoroughfare Plan will be addressed during the subdivision plat stage. No compliance issues have been identified.
H. Landscaping and screening are integrated into the overall site design: 1. To provide adequate buffers to shield lights, noise, movement or activities from adjacent properties when necessary. 2. To complement the design and location of buildings.	YES	Landscaping requirements will be addressed during the building permit stage as each individual residence is developed. If non-residential development occurs adjacent to this development, buffering and screening per UDC Section 7.7 will be evaluated at that time. No additional screening or buffering requirements are proposed with this planned development.
I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.	YES	Parkland dedication in accordance with UDC Section 8.3 is required. However, as part of this project, no parkland is proposed to be dedicated, however, the developer will be paying fees instead. Fees will be addressed during the platting stage with review by the Development Review Committee (DRC).
J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.	YES	Water will be provided by Pendleton Water Company. Wastewater will be addressed by on-site septic. Drainage facilities as well as other utilities will be formally addressed during the development review stage. To date, no issues have been identified.

Site & Surrounding Photos



Site: Undeveloped as seen from Cedar Creek Road (AG)



Site: Undeveloped as seen from State Highway 317 (AG)



East: Scattered SF residential uses on acreage along Cedar Creek Road (ETJ)



West: Scattered SF residential uses on acreage, fronting along State Highway 317
(Photo perspective from Cedar Creek Road (AG))



West: Scattered SF residential uses on acreage looking across State Highway 317 (ETJ)



South: Scattered SF residential uses on acreage across Cedar Creek Rd (ETJ)

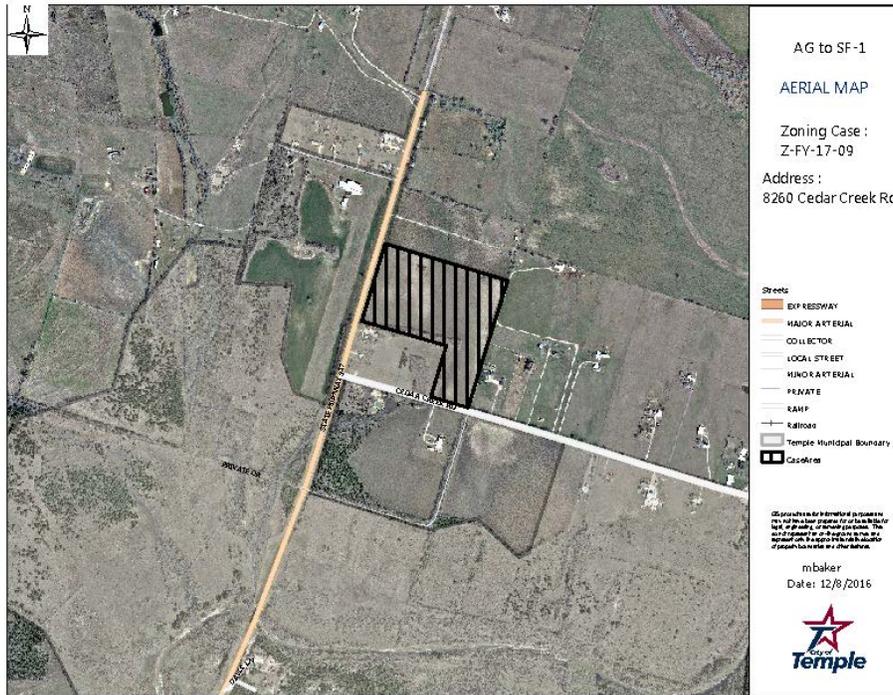


South: Scattered SF residential uses on acreage along eastside of State Highway 317 (AG)

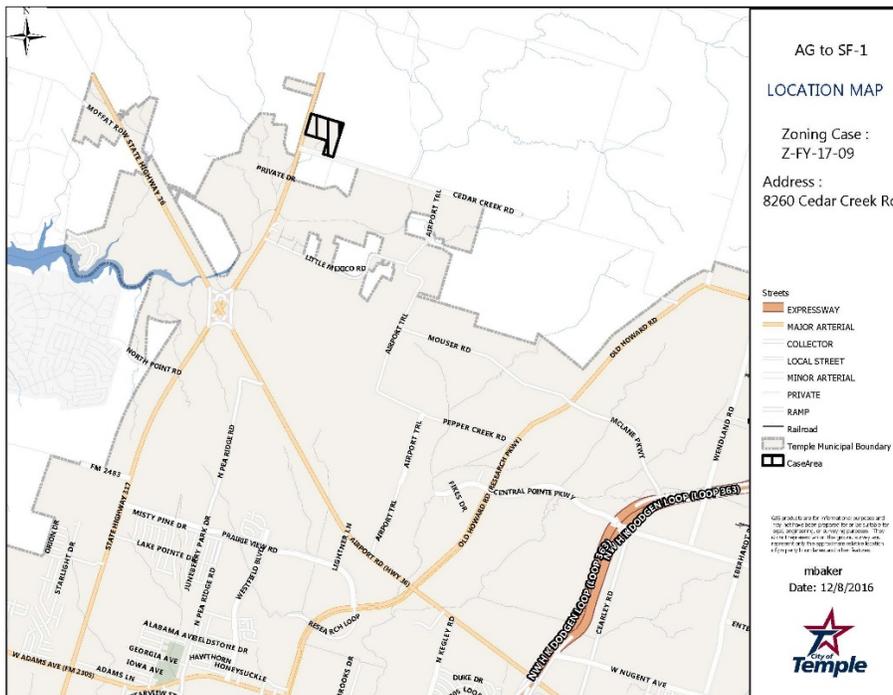


North: Undeveloped but scattered SF residential uses on acreage along State Highway 317 (ETJ)

Maps



Aerial Map



Location Map



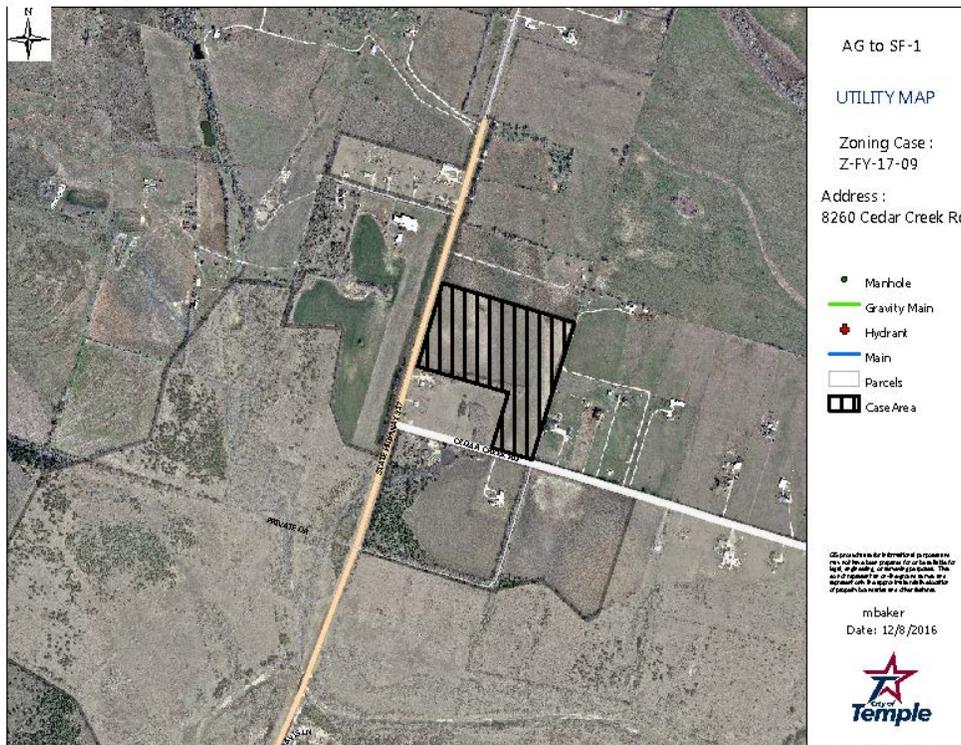
Zoning Map



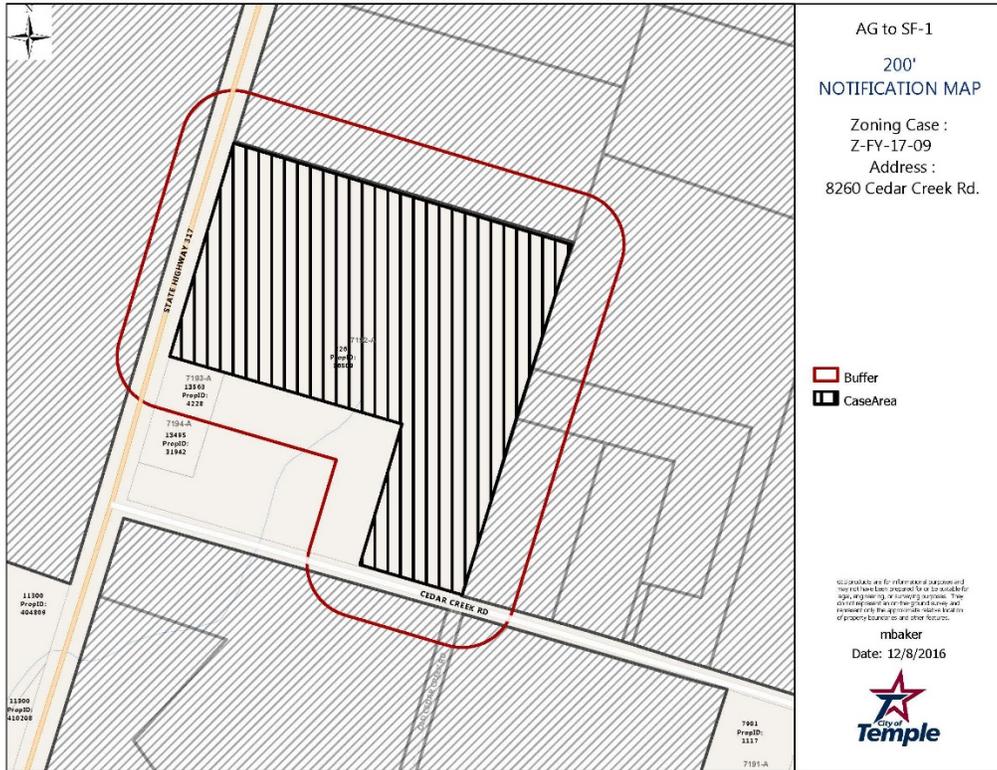
Future Land Use Map



Thoroughfare & Trails Map



Utility Map



Notification Map

Tables

Permitted & Conditional Uses Table (Comparison between AG, UE & SF-1)

Use Type	Agricultural (AG)	Urban Estate (UE)	Single Family One (SF-1)
Agricultural Uses	* Farm, Ranch or Orchard	* Same as AG	* Same as AG
Residential Uses	* Single Family Residence (Detached & Attached) * Industrialized Housing * Family or Group Home * Home for the Aged (CUP)	* Same as AG	* Same as AG (Except Home for the Aged – Not Permitted)
Retail & Service Uses	* None	* Same as AG	* Same as AG
Commercial Uses	* None	* Same as AG	* Same as AG
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP)	* Same as AG	* Same as AG
Recreational Uses	* None	* Same as AG	* Same as AG
Vehicle Service Uses	* None	* Same as AG	* Same as AG
Restaurant Uses	* None	* Same as AG	* Same as AG
Overnight Accommodations	* None	* Same as AG	* Same as AG
Transportation Uses	* None	* Same as AG	* Same as AG

Surrounding Property Uses

<u>Surrounding Property & Uses</u>			
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Agricultural / Rural	AG	Single Family Residence on Acreage
North	Agricultural / Rural	ETJ	Scattered SF Uses on acreage
South	Agricultural / Rural	AG	Scattered SF Uses on Acreage
East	Agricultural / Rural	ETJ	Scattered SF Uses on Acreage
West	Agricultural / Rural	AG & ETJ	Scattered SF Uses on Acreage

Comprehensive Plan Compliance

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	YES
CP	Map 5.2 - Thoroughfare Plan	YES
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	YES
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	YES
CP = Comprehensive Plan STP = Sidewalk and Trails Plan		

Development Standards

	<u>Current (AG)</u>	<u>Proposed</u>		<u>Staff</u>
		<u>(SF-1)</u>	<u>(UE)</u>	<u>Recommends</u> <u>(PD-UE)</u>
Minimum Lot Size	1 Acre	7,500 SF	22,500 SF	22,500 SF
Minimum Lot Width	100 Feet	60 Feet	80 Feet	60 Feet
Minimum Lot Depth	150 Feet	100 Feet	125 Feet	100 Feet
Front Setback	50 Feet	25 Feet	30 Feet	25 Feet
Side Setback	15 Feet	10% Lot Width 6' Min - 7.5' Max	15 Feet	7.5'
Side Setback (corner)	15 Feet	15 Feet	15 Feet	15 Feet
Rear Setback	10 Feet	10 Feet	10 Feet	10 Feet
Max Building Height	3 Stories	2 Stories	3 Stories	3 Stories

PENDLETON WATER SUPPLY CORPORATION

PO BOX 100 9675 SPUR 1237

PENDLETON, TEXAS 76564

254-773-5876 FAX 254-773-0105

October 24, 2016

Omar Crisp

8260 Cedar Creek Rd.

Temple, TX 76504-6096

Re: Water availability – Omar Crisp Development

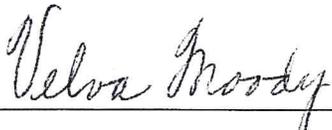
To Whom It May Concern:

This is to verify that water service for the Omar Crisp Development located on the northeast intersection State Highway 317 and Cedar Creek Rd. is available through Pendleton Water Supply Corporation.

If you should need further assistance, please contact the office at the number listed above.

Respectfully submitted,

PENDLETON WSC

By 
Velva Moody, Office Manager

“This institution is an equal opportunity employer and provider”



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

1/03/17
Item #6
Regular Agenda
Page 1 of 4

APPLICANT: Kelum Pellawata

CASE MANAGER: Lynn Barrett, Assistant Director of Planning

ITEM DESCRIPTION: PUBLIC HEARING - Z-FY-17-10: Hold a public hearing to discuss and recommend action on a rezoning from Planned Development-Commercial (PD-C) to Planned Development-General Retail (PD-GR) on Lots 1, 2, 3 and 4, Block 33, Temple Heights Subdivision, 2015 West Avenue M, and 1305 and 1307 South 41st Street. The proposed PD is to allow auto sales along with major vehicle servicing and heavy equipment storage/repair of property owner's equipment on Lots 1-3 only, subject to Zoning Ordinance standards. Occasional parking of property owner's agricultural equipment allowed on lot 4, with no other commercial use of the lot permitted.

STAFF RECOMMENDATION: Based on the following, staff recommends approval with conditions for a rezoning from the current PD-C zoning district to the PD-GR zoning district for the following reasons:

1. That the proposed Development Plan/Site Plan reflects compliance with the provisions of the Planned Development Criteria as required by Unified Development Code (UDC) Section 3.4.5;
2. That commercial use of the property has been restricted to Lots 1-3;
3. Lot 4 is not being used commercially;
4. That the request complies with UDC, Section 5.3.19 that states for an auto sales use - new or used, outdoor lot that the office must be less than 10% of the lot area;
5. That the request complies with UDC, Section 5.3.22 that states for Vehicle Servicing-major that servicing occurs inside a building and any vehicle parts stored outside must be behind a building, screened from public view and occupy less than 10% of the lot;
6. That limited heavy equipment storage is a similar use, with repair allowed inside a building;
7. The request is in compliance with the Future Land Use Map (FLUM) Auto-Urban Mixed Use character district designation and current auto uses nearby along W Avenue M;
8. The proposed zoning is compatible with surrounding zoning and anticipated retail and service uses along this section of W. Avenue M;
9. The request complies with the Thoroughfare Plan and Trails Master Plan; and
10. Public facilities serve the subject property.

Staff recommends approval of the request, subject to the following conditions:

1. Substantial compliance with the Buffering requirements utilizing a fence constructed on two sides of Lot 4 to screen from adjacent residential properties;

2. That the Planned Development uses will be allowed exclusively on Lots 1-3; and Lot 4 will not be developed or used for a commercial purpose, but may only be used for temporary storage of the owner's limited agricultural equipment, and, as such, is not required to be paved at this time;
3. All buildings on the property will be maintained in good repair
4. All refuse, rubbish or building materials are removed and the premises kept mowed
5. Previous conditions of the former PD (Ordinance 2010-4363) are repealed;

ITEM SUMMARY:

A 2010 PD on this property (Ordinance 2010-4363) limited the owner to the uses of truck and van rental and parking, minor vehicle servicing and any non-residential use in by right in Neighborhood Services or Office zoning districts. The applicant now has a tenant who began an auto sales lot on Lots 1-3 of the property, but which is not in compliance with the previous PD. Further, the requirements of the 2010 PD were that lot 4 be paved. No commercial activity is occurring on Lot 4, so a pavement requirement no longer applies. A screening fence which was a condition of the previous PD has been installed between this vacant property and the residential neighbors to the south and east.

Planned Development

UDC Section 3.4.1 defines a PD 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.”

Per UDC Section, 3.4.3.A, a PD is subject to review and approval by City Council.

Enhancements are typically an expectation of a PD to off-set the unique manner of the request. While staff has worked closely with the applicant, enhancements for the site are in the form of limiting uses, screening and buffering, and have been discussed and agreed upon with the applicant and are described as follows:

Screening / Buffering: Applicant has constructed a screening fence on two sides of Lot 4 as required for the previous PD

Proposed Allowed Uses: Auto sales, major vehicle servicing and heavy equipment storage/repair of property owner's equipment on Lots 1-3 only per Zoning Ordinance requirements. Occasional storage of property owner's agricultural equipment allowed on lot 4.

SURROUNDING PROPERTIES AND USES: A table in the attachments provides the surrounding properties, FLUM designations, existing zoning and current land uses (attachment: Surrounding Properties & Uses Table).

SCREENING / BUFFERING

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

There are two existing residences that abut Lot 4 to the south and to the east across an alley. The previous PD required continuous screening along this portion of the property. Installation of a solid wood fence has been completed.

COMPREHENSIVE PLAN COMPLIANCE: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan (CP) and Sidewalk and Trails Plan. A summary table of the CP compliance is located the attachments: Comprehensive Plan Compliance Summary Table.

Future Land Use Map (CP Map 3.1)

In the FLUM, the subject property is designated as the Auto-Urban Mixed Use character district. This district is intended for a mixture of commercial and residential uses with appropriate screening and buffering.

The proposal is in compliance with the FLUM and current zoning as it includes several proposed commercial uses that are similar to many along Avenue M and a fence is installed to shield adjacent residential properties.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from West Avenue M, which is designated as minor arterial in the Thoroughfare Plan and 41st Street, a local street. Therefore, this request is compliant with the Thoroughfare Plan.

Availability of Public Facilities (CP Goal 4.1)

Water and Sewer are available to and currently service the subject property.

DEVELOPMENT REVIEW COMMITTEE: As required by UDC Section 3.4.2 B, the Development/Site Plan for the proposed PD was reviewed by the Development Review Committee (DRC) on December 19, 2016. Site characteristics and history of the property were discussed.

PUBLIC NOTICE: Thirty-four notices were mailed to property owners within the 200 feet buffer area of the subject property. The notices included information on the public hearing as required by State Law and City Ordinance. As of Thursday, December 30, 2016, 0 notices were received in disagreement; and 2 in agreement were returned, with 1 notice returned undeliverable. The newspaper printed notice of the public hearing on December 22, 2016 in accordance with state law and local ordinance.

CITY COUNCIL MEETING SCHEDULE: This request is scheduled for a first reading on February 2, 2017 and a second reading on February 16, 2017.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

1. Site and Surrounding Property Photos
2. Development/Site Plan
3. Former PD conditions

4. Aerial Map / Utility Map
5. Zoning Map/ Future Land Use and Character Map
6. Thoroughfare & Trails Map / Notification Map
7. Surrounding Properties & Uses Table
8. Comprehensive Plan Compliance Summary Table
9. Returned Property Notices
10. Previous PD Ordinance (2010-4363)

Site Photos

Along 41st St



Front View of property



View Along Avenue M



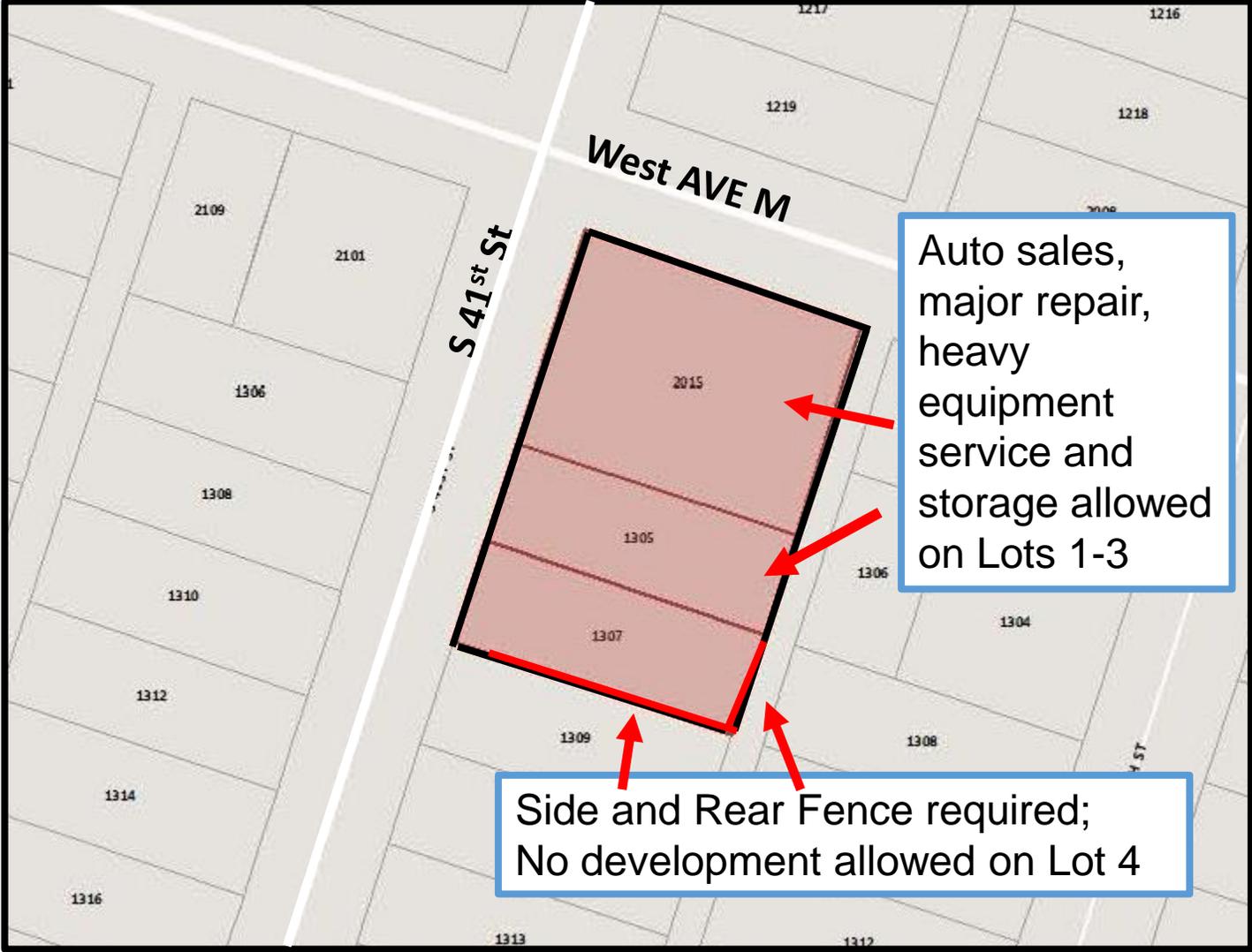
Across Ave M



Installed Fence



Site Plan



CONDITIONS OF PELAWATTA PD ORDINANCE 2010-4363 (excerpt)

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

- (a) Except as modified by the binding site development plan and the ordinance granting the Planned Development designation, the use and development standards of the property shall conform to the requirements of the Commercial zoning district.
- (b) In the event of a conflict between the development plan, attached hereto as Exhibit B, and the text of this ordinance, the stricter standard applies
- (c) All standards of the Zoning Ordinance apply unless the development plan or the text of this ordinance specifically modifies such standards.
- (d) The following uses, and no other uses, are permitted on the subject property:
 - 1. Truck and van rental and parking;
 - 2. Minor vehicle serving; and
 - 3. Any nonresidential use permitted in the NS, Neighborhood Service, or O-1, Office One, zoning districts.
- (e) Rental van and truck parking is allowed only in the area designated on the development plan as the enclosed van and truck parking area.
- (f) Buffering between the parking area and the property line as depicted on the development plan must consist of an opaque fence that is between six feet and eight feet in height. The fence must not contain openings constituting more than 20 square inches in each square foot of wall or fence surface. Gates must be equal in height and screening characteristics to the fence or wall.
- (g) The enclosed van and truck parking area must be striped to accommodate all trucks available for rental.
- (h) Any new buildings or additions require a building permit and must meet all City Code requirements
- (i) The standards in Section 7-631, Minor Vehicle Servicing, of the Zoning Ordinance applies to any minor vehicle servicing to take place on the property.
- j) Portable buildings, if any are erected, require a building permit and must be located in the rear half of lots 3 and 4. Such buildings must meet all City Code requirements including but not limited to the masonry requirements in Sec. 13-300 of the Zoning Ordinance.

(k) The following activities or conditions are prohibited:

1. Outdoor junk and debris;
2. Storage of commodities in a street or alley;
3. Dilapidated signs;
4. Stagnant water in tires;
5. Indoor display of high combustible materials within five feet of doorways; and
6. Sign in r-o-w.

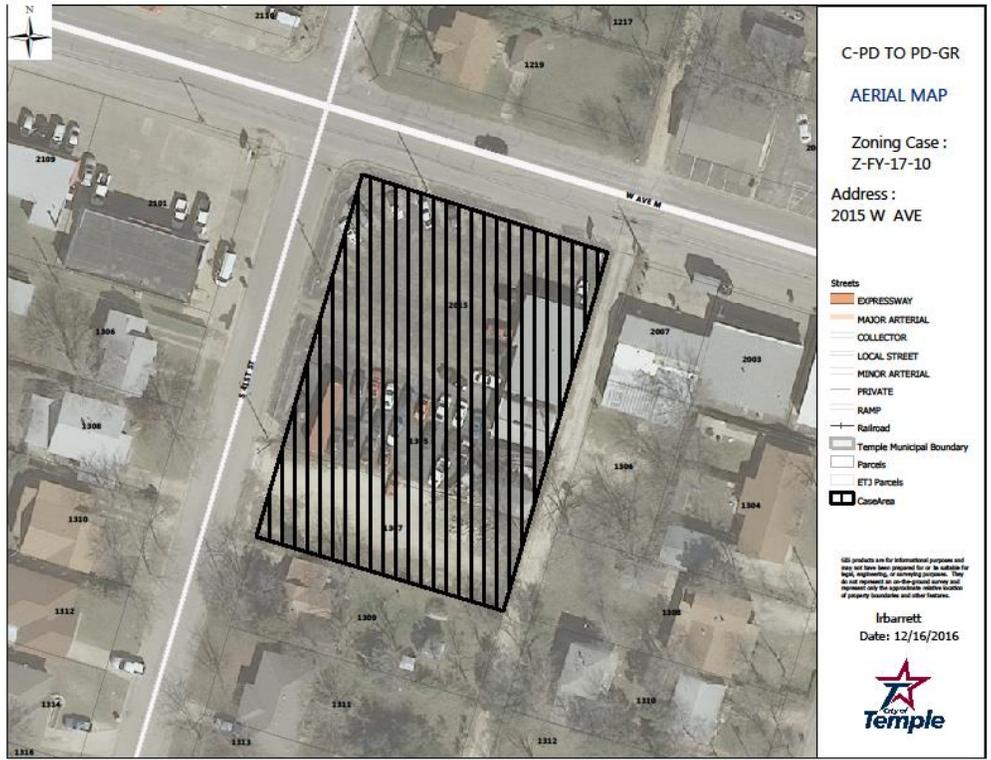
(1) After the completion of the property owner's vehicle repair facility at 1402 South 1st Street, semi-trailers, shipping containers or any other moveable accessory storage structures are prohibited on the subject property

(m) On-street parking of rental vehicles is prohibited. All drop-off, parking and storage of trucks and trailers must take place on-site.

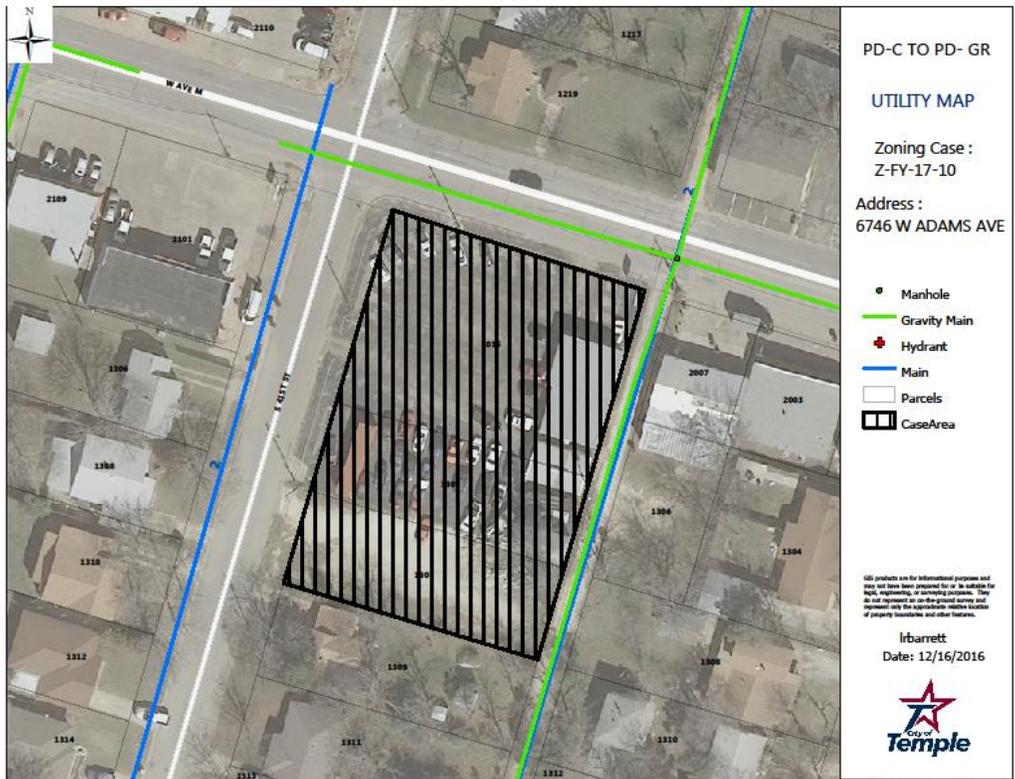
(n) Lot 4 on the attached binding development plan must be paved with asphalt or concrete.

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

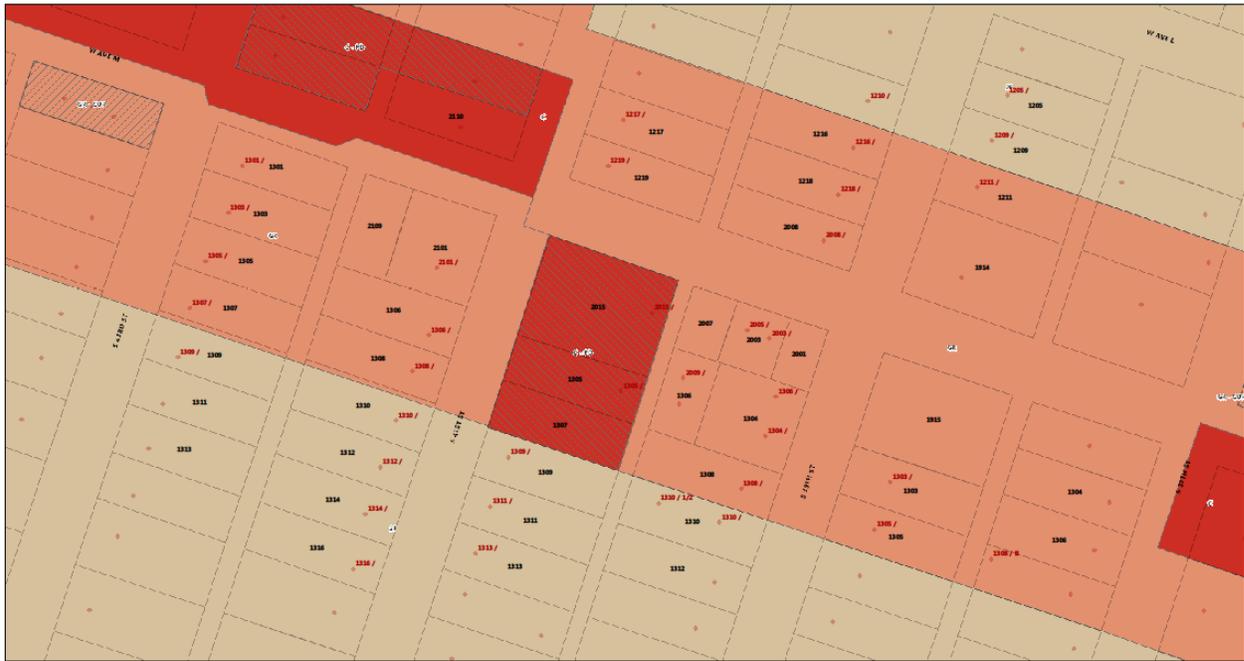
Aerial Map



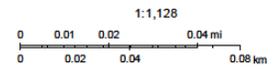
Utility Map



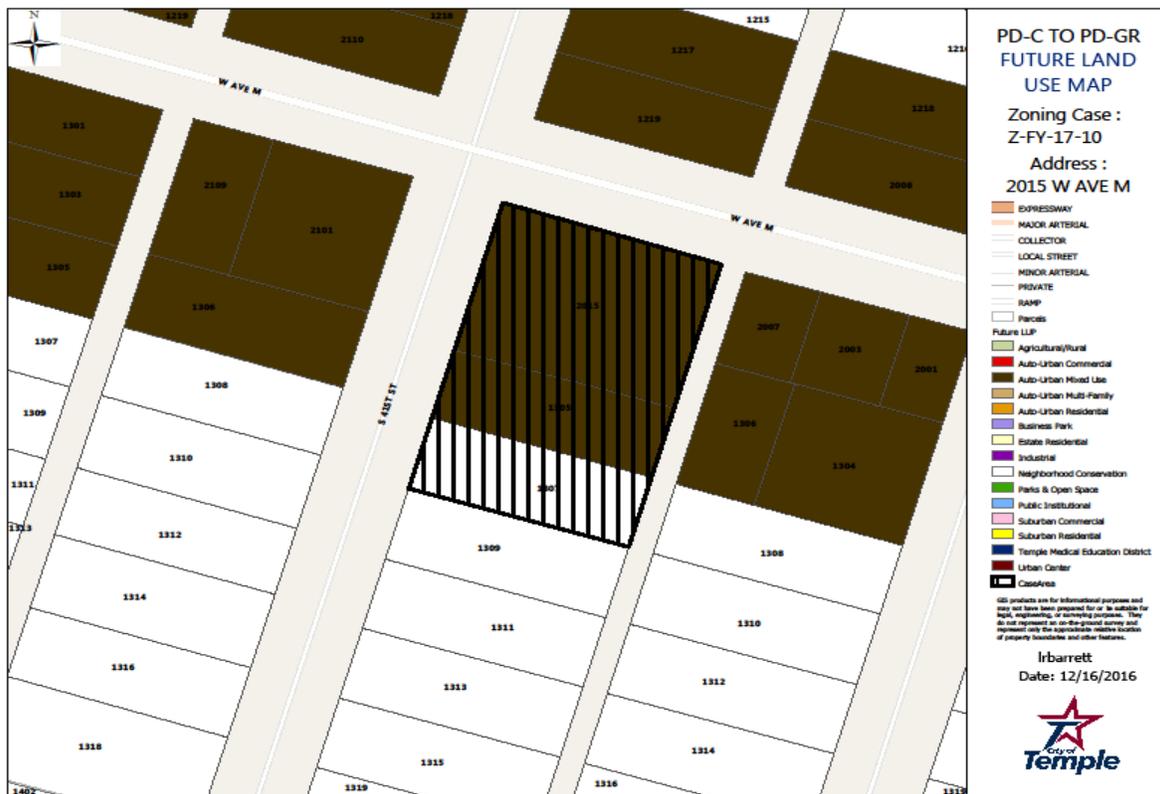
Pellawatta zoning



December 6, 2016
 Easement
 Outblock Numbers



Future Land Use



PD-C TO PD-GR
 FUTURE LAND
 USE MAP
 Zoning Case :
 Z-FY-17-10
 Address :
 2015 W AVE M

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

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

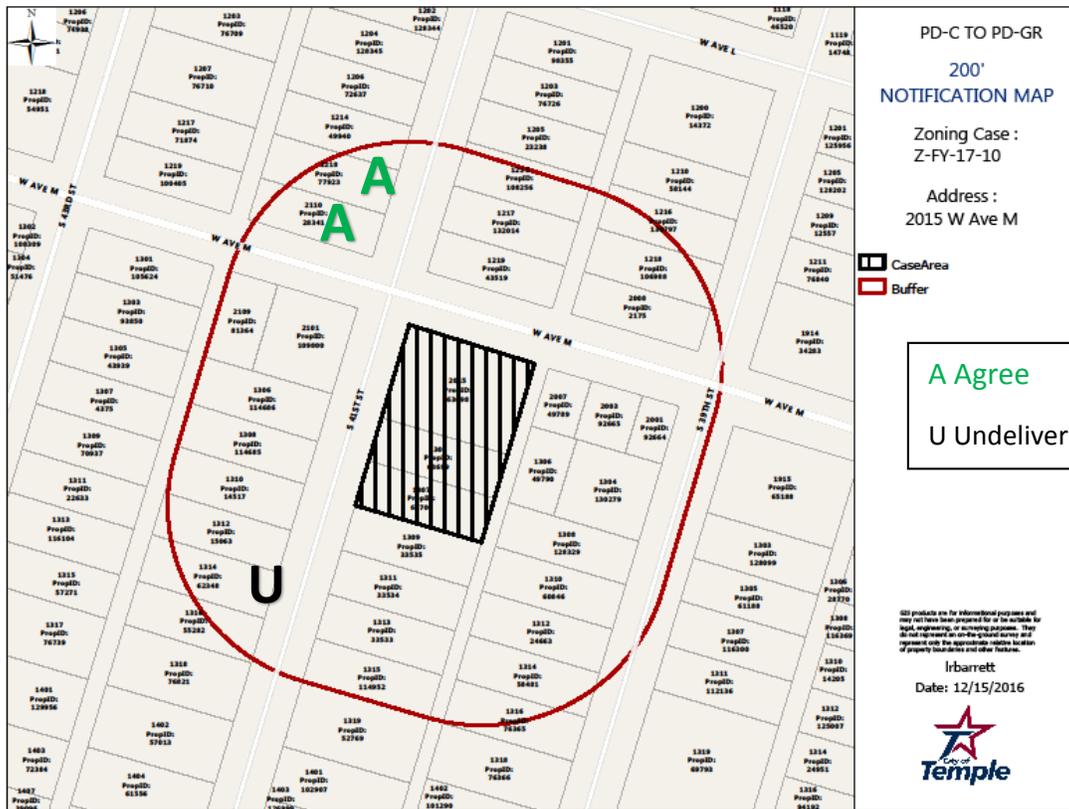
Irbarrett
 Date: 12/16/2016



Thoroughfare/Trails Map



Notification Map



Surrounding Properties & Uses Table

Direction	FLUM	Zoning	Current Land Use
Site	Auto-Urban Mixed Use	C-PD	Business
North	Auto-Urban Mixed Use	NS	Business
South	Neighborhood Conservation	2F	single family residential
West	Auto-Urban Mixed Use	NS	Business/ residential
East	Auto-Urban Mixed Use	NS	single family residential

Comprehensive Plan Compliance Summary Table

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1- Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails and Thoroughfare Plan	Yes
UDC	UDC, Section 3.4.5 Planned Development Criteria	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan



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

OLIVAREZ, DAVID S ETUX CHRISTINA CONDE
83 DEW LN
BELTON, TX 76513

Zoning Application Number: Z-FY-17-10

Case Manager: Lynn Barrett

Location: 2015 West Avenue M and 1305 & 1307 South 41st Street

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

agree

disagree with this request

Comments:



Signature

David S Olivarez

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbartrett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 3, 2017**.

**City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501**

Number of Notices Mailed: 34

Date Mailed: December 22, 2016

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

OLIVAREZ, DAVID S ETUX CHRISTINA CONDE
83 DEW LN
BELTON, TX 76513

Zoning Application Number: Z-FY-17-10

Case Manager: Lynn Barrett

Location: 2015 West Avenue M and 1305 & 1307 South 41st Street

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I agree () disagree with this request

Comments:

C. Olivarez
Signature

Christina Olivarez
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbartlett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 3, 2017**.

**City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501**

Number of Notices Mailed: 34

Date Mailed: December 22, 2016

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

ORDINANCE NO. 2010-4363

[PLANNING NO. Z-FY-10-29]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM COMMERCIAL DISTRICT AND GENERAL RETAIL DISTRICT TO PLANNED DEVELOPMENT - COMMERCIAL DISTRICT (PD-C) ON LOTS 1-4, BLOCK 33, TEMPLE HEIGHTS ADDITION, LOCATED AT 2015 WEST AVENUE M, 1305 AND 1307 SOUTH 41ST STREET, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the owner of the property on Lots 1-4, Block 33, Temple Heights Addition, located at 2015 West Avenue M, 1305 and 1307 South 41st Street, has requested that the property be rezoned from Commercial District and General Retail District to Planned Development - Commercial District (PD-C); and

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

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

Part 1: The City Council approves a zoning change from Commercial District and General Retail District to Planned Development - Commercial (PD-C) on Lots 1-4, Block 33, Temple Heights Addition, located at 2015 West Avenue M, 1305 and 1307 South 41st Street, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development-Commercial District (PD-C), and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) Except as modified by the binding site development plan and the ordinance granting the Planned Development designation, the use and development standards of the property shall conform to the requirements of the Commercial zoning district.
- (b) In the event of a conflict between the development plan, attached hereto as Exhibit B, and the text of this ordinance, the stricter standard applies.

- (c) All standards of the Zoning Ordinance apply unless the development plan or the text of this ordinance specifically modifies such standards.
- (d) The following uses, and no other uses, are permitted on the subject property:
1. Truck and van rental and parking;
 2. Minor vehicle servicing; and
 3. Any nonresidential use permitted in the NS, Neighborhood Service, or O-1, Office One, zoning districts.
- (e) Rental van and truck parking is allowed only in the area designated on the development plan as the enclosed van and truck parking area.
- (f) Buffering between the parking area and the property line as depicted on the development plan must consist of an opaque fence that is between six feet and eight feet in height. The fence must not contain openings constituting more than 20 square inches in each square foot of wall or fence surface. Gates must be equal in height and screening characteristics to the fence or wall.
- (g) The enclosed van and truck parking area must be striped to accommodate all trucks available for rental.
- (h) Any new buildings or additions require a building permit and must meet all City Code requirements.
- (i) The standards in Section 7-631, Minor Vehicle Servicing, of the Zoning Ordinance applies to any minor vehicle servicing to take place on the property.
- (j) Portable buildings, if any are erected, require a building permit and must be located in the rear half of lots 3 and 4. Such buildings must meet all City Code requirements including but not limited to the masonry requirements in Sec. 13-300 of the Zoning Ordinance.
- (k) The following activities or conditions are prohibited:
1. Outdoor junk and debris;
 2. Storage of commodities in a street or alley;
 3. Dilapidated signs;
 4. Stagnant water in tires;
 5. Indoor display of high combustible materials within five feet of doorways; and
 6. Sign in r-o-w.
- (l) After the completion of the property owner's vehicle repair facility at 1402 South 1st Street, semi-trailers, shipping containers or any other moveable accessory storage structures are prohibited on the subject property.

- (m) On-street parking of rental vehicles is prohibited. All drop-off, parking and storage of trucks and trailers must take place on-site.
- (n) Lot 4 on the attached binding development plan must be paved with asphalt or concrete.

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

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

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.

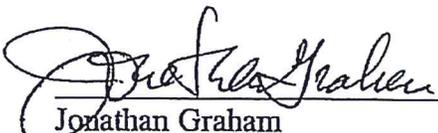
PASSED AND APPROVED on First Reading and Public Hearing on the 20th day of May, 2010.

PASSED AND APPROVED on Second Reading on the 17th day of June, 2010.

THE CITY OF TEMPLE, TEXAS

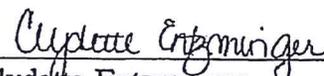

 WILLIAM A. JONES, III, Mayor

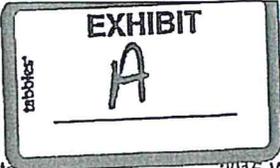
APPROVED AS TO FORM:


 Jonathan Graham
 City Attorney

ATTEST:



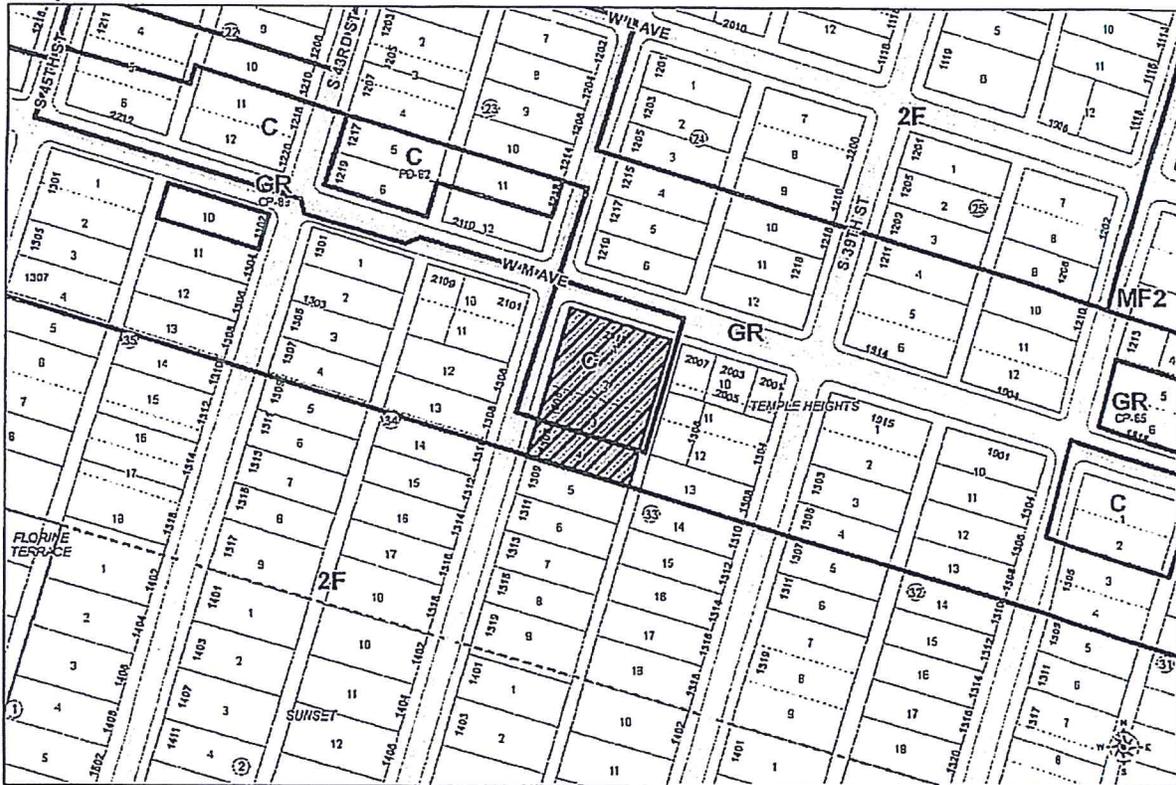

 Clydette Entzminger
 City Secretary



Z-FY-10-29

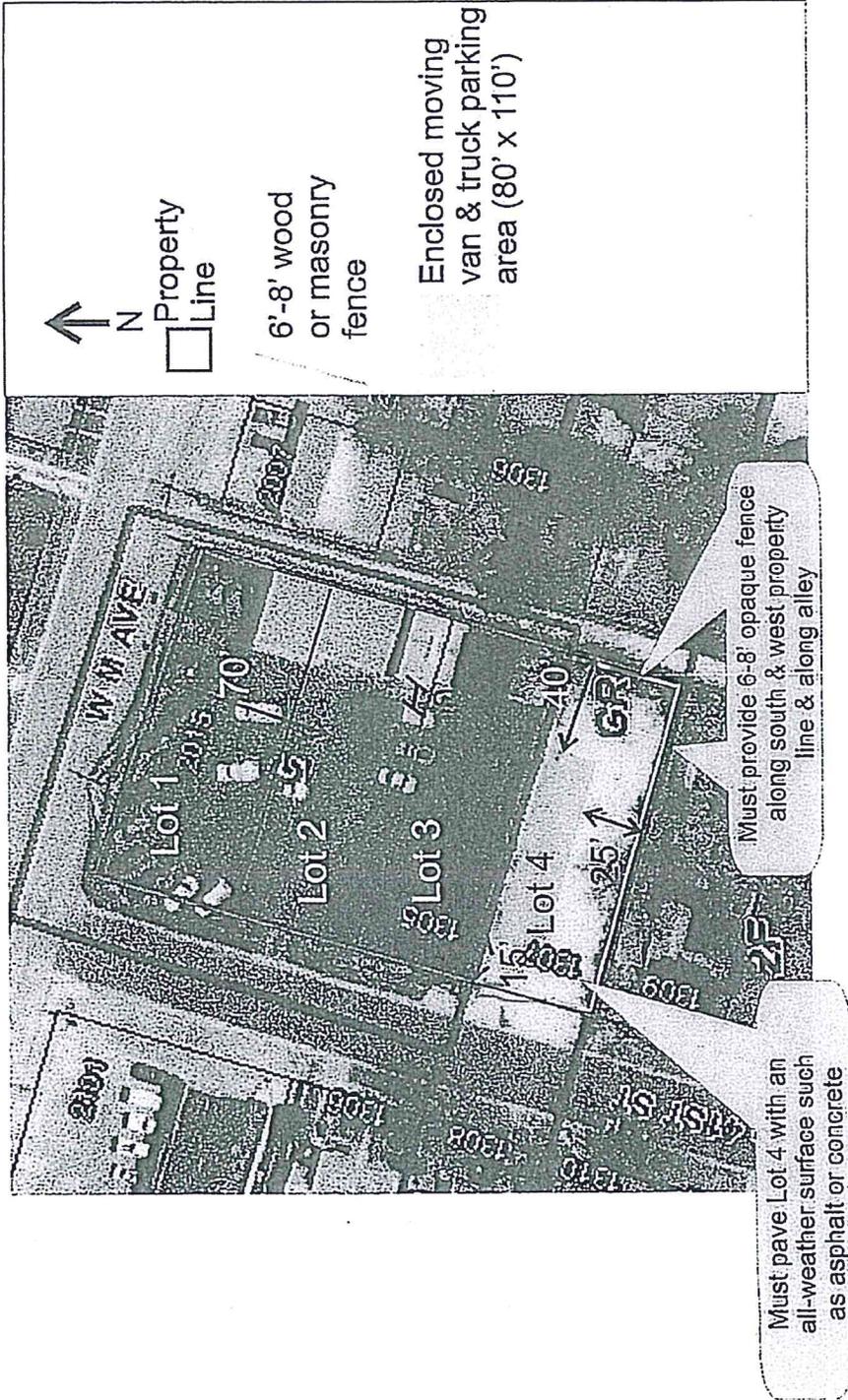
Temple Heights Addition, Block 33, Lots 1-14

2015 W Ave M



 Z-FY-10-29

Foot 0 50 100 150
J Stone 4.14.10



Temple Heights Addition, Block 33, Lots 1 - 4

In the event of a conflict between this development plan and the text of the PD ordinance for this project, the stricter standard applies.
 All standards of the Zoning Ordinance apply unless this development plan or the text of the PD ordinance for this project specifically modifies such standards.



PLANNING & ZONING COMMISSION ITEM MEMORANDUM

1/03/17
Item #7
Regular Agenda

APPLICANT: City of Temple

DEPT. /DIVISION SUBMISSION & REVIEW: Lynn Barrett, Assistant Director of Planning

ITEM DESCRIPTION: Hold a public hearing to discuss and recommend action on amendments to Ordinance 2010-4413, Temple Unified Development Code Section 5.1.3, “Use Table,” and Section 5.3.15, “Alcoholic Beverage Sales for On-Premise Consumption” adding a reference to the City’s Code of Ordinances, Chapter 4 “Alcoholic Beverages” and amending section 5.3.15(B) to delete unnecessary language and clarify additional standards.

City legal staff began a review of the city’s Alcoholic Beverage codes, found in Chapter 4 of City Ordinance as well as in the UDC, after a request by a local private high school to include private schools in the city’s distance requirements from establishments serving alcohol to match state Texas ABC regulations. Consolidation and standardization of the portions of code most directly applicable at each step of the process was undertaken by the city’s legal staff, headed by City Attorney Kayla Landeros. The result requires amendments to code in both places, with the UDC changes appearing before Planning and Zoning first, with City Council action scheduled for February 2nd and 16th readings.

Article 5 Use Standards Amendment

Staff is proposing amending section 5.1:

RETAIL SALES AND SERVICE USES																			NS	GR	C	CA	II	HI	Standards
Alcohol beverage sales, off-premise consumption, beer and wine store																			C	P	P	P	P	P	Code of Ordinances Chapter 4

Article 5.3.15 of the UDC, Alcoholic Beverage Sales for On-Premise Consumption, will be streamlined, however the full extent of the code will be found in Chapter 4 of the City Code of Ordinances.

PUBLIC NOTICE: The newspaper printed notice of the Planning and Zoning Commission public hearing on December 22, 2015, in accordance with state law and local ordinance.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendments.

FISCAL IMPACT: NA

ATTACHMENTS:

- Attachment 1: Draft UDC Code Amendments
- Attachment 2: Draft Chapter 4 Code Amendments

5.3.15 Alcoholic Beverage Sales for On-Premise Consumption

An establishment with alcoholic beverage sales for on-premise consumption may be permitted in accordance with the use table in Sec. 5.1 subject to the following standards.

- A.** The following standards apply to all establishments with on-premise consumption of alcoholic beverages.
1. The permittee must design and operate the establishment in such a manner that the use of the premises does not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
 2. The permittee must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within six months from the date of the issuance of the Conditional Use Permit, such limitation in time being subject to City review and possible extension.
 3. The permittee bears the burden of showing that the establishment does not exceed the limitation on gross receipts from sales of alcoholic beverages applicable to its Conditional Use Permit. The permittee must maintain accounting records of the sources of its gross revenue and allow the City to inspect such records during reasonable business hours.
 4. The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.
 5. 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.
 6. The establishment must provide adequate parking spaces in accordance with the standards in Sec. 7.5.
 7. The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners.
 8. The City Council may deny or revoke a Conditional Use Permit in accordance with Sec. 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.
 9. A Conditional Use Permit runs with the property and a change in the owner or lessee of a permitted establishment does not affect the Conditional Use Permit.
 10. All Conditional Use Permits must be further conditioned that the permit may be canceled, suspended or revoked in accordance with the revocation clause set forth in paragraph 8 above.
 - ~~10.11.~~ The use must comply with City of Temple Code of Ordinances, Chapter 4, "Alcoholic Beverages."

~~B.~~ In addition to the standards in subsection A above, the following standards apply to all establishments where the gross revenue from the on-premise sale of alcoholic beverages is less than 75% of the total gross revenue of the establishment, including establishments in Central Area zoning district where sale of alcoholic beverages is more than 50% and less than 75% of the total gross revenue of the establishment.

- ~~1.~~ The establishment must not be within 300 feet of a place of worship, public school or public hospital.
- ~~2.~~ The distance between the establishment where alcoholic beverages are sold and the place of worship or public hospital must be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. The distance between the place of business where alcoholic beverages are sold and the public school must be measured in a straight, direct line from the property line of the public school to the property line of the establishment, and in a direct line across intersections.
- ~~3.~~ If the permit or license holder is located on or above the fifth story of a 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 permittee is located.

C.B. In addition to the standards in subsection A above, the following standards apply to all establishments where the gross revenue from the sale of alcoholic beverages for on-premise sale-consumption of alcoholic beverages is 75% or more of the total gross revenue of the establishment.

1. The establishment must not be within 300 feet of a place of worship, elementary or secondary school, public hospital, public park or any residentially zoned or developed lot.
2. The distance between the establishment where alcoholic beverages are sold and a protected use listed in (B)(1) or Code of Ordinances, Chapter 4, must be measured in a straight, direct line from the property line of the establishment to the nearest property line of a place of worship, elementary or secondary school, public hospital, public park or any residentially zoned or developed lot the property where a protected use is located.
3. An establishment in a multi-storied building on other than the ground floor must be treated as though it were on the ground floor for purpose of the measurement between property lines.

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~~ ALCOHOLIC BEVERAGE SALES NEAR SCHOOL, CHURCH, OR HOSPITAL

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

~~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)~~

(a) The City of Temple prohibits the sale of alcoholic beverages by a dealer whose place of business is within:

(1) 300 feet of a church, public or private school, or public hospital; or

(2) 1,000 feet of a private school if the City Council receives a request from the governing body of the private school in accordance with Texas Alcoholic Beverage Code Section 109.33.

(b) Subsection (a)(1) does not apply to the holder of:

(1) a license or permit issued by the Texas Alcoholic Beverage Commission who also holds a food and beverage certificate issued by the Texas Alcoholic Beverage Commission covering a premise that is located within 300 feet of a private school; or

(2) a license or permit issued by the Texas Alcoholic Beverage Commission covering a premises where minors are prohibited from entering under Texas Alcoholic Beverage Code Section 109.53 and that is located within 300 feet of a private school.

(c) Subsection (a)(2) does not apply to the holder of:

(1) a retail on-premises consumption permit or license issued by the Texas Alcoholic Beverage Commission if less than 50% of the gross receipts for the premises is

from the sale or service of alcoholic beverages;

(2) a retail off-premises consumption permit or license issued by the Texas Alcoholic Beverage Commission if less than 50% of the gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, is from the sale or service of alcoholic beverages;

(3) a wholesaler's, distributor's, brewer's, distiller's and rectifier's, winery, wine bottler's or manufacturer's permit or license, or any other license or permit held by a wholesaler or manufacturer as those words are ordinarily used and understood in Texas Alcoholic Beverage Code Chapter 102;

(4) a license or permit issued under Texas Alcoholic Beverage Code Chapters 27 (Temporary and Special Wine and Beer Retailer's Permit), 31 (Caterer's Permit), or 72 (Temporary Licenses) who is operating on the premises of a private school; or

(5) a license or permit covering a premise where minors are prohibited from entering under Texas Alcoholic Beverage Code Section 109.53 and that is located within 1,000 feet of a private school.

(d) For purposes of this Chapter, "private school" means a private school, including a parochial school, that:

(1) offers a course of instruction for students in one or more grades from kindergarten through grade 12; and

(2) has more than 100 students enrolled and attending courses at a single location.

Sec. 4-3. Measurement ~~for church or public hospital~~ of Distances for Church and 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~~ Public and Private schoolSchool.

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

(a) in a direct line from the property line of the public or private 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 or private 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.



PLANNING AND ZONING COMMISSION AGENDA ITEM

1/03/17

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 09/19/16 Pending Revisions	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.	DRC TBD 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 Pending Revisions	Clark & Fuller	Tammy

Future Commission Projects	Status	Applicant	Project Mgr.
<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 Pending Revisions</p>	<p>Scott Motsinger on behalf of Central Realty Partners</p>	<p>Tammy</p>
<p>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.</p>	<p>Waiting on revisions</p>	<p>Clark & Fuller</p>	<p>Dessie</p>
<p>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.</p>	<p>DRC 09/19/16 Pending Revisions for reduced number of lots; rezoning must be approved 1st</p>	<p>Turley Associates</p>	<p>Tammy</p>
<p>P-FY-16-56 - Consider and recommend action 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.</p>	<p>DRC 09/19/16 Mylars released for recordation</p>	<p>Tanner Consulting</p>	<p>Mark</p>
<p>P-FY-17-02 - Consider and take action on the Final Plat of Aubrey's Crossing, a 6.056 +/- acres, 2-lots, 1-block, non-residential subdivision, situated in the George Givens Survey, Abstract No. 345, Bell County, Texas, located at 3805, 3807, 3809, 3813 and 3817 South General Bruce Drive.</p>	<p>DRC 10/27/16 Awaiting Post-DRC responses</p>	<p>Turley Associates</p>	<p>Mark</p>
<p>P-FY-17-03 - Consider and recommend action on the Final Plat of Santa Fe Plaza West, an 11.007 +/- acre, a 9 lot, 3 block, non-residential subdivision, being a replat embracing all or portions of several lots within blocks 25, 26, 27 & 18, Original Town of Temple, subdivision and all or portions of several lots within blocks 12 & 23, Moore's Railway Addition, subdivision, as further described by legal description and providing street frontage on West Ave A, West Ave B, South 11th, South 9th South 7th & South 5th Streets, Temple, Texas.</p>	<p>City Council 01/19/17</p>	<p>COT</p>	<p>Mark</p>

Future Commission Projects	Status	Applicant	Project Mgr.
<p>P-FY-17-04 - Consider and take action on the Final Plat of JDLG Addition, a 1.177 +/- acres, 1-lot, 1 block, non-residential subdivision, situated in the B. Robertson Survey, Abstract 17, Bell County, Texas, being all of Lots 8, 9, 10, 16, 17, 18, 19 and 20 and a portion of Lots 11 and 12, Block 13 of Hildell Estates, located at 30 South Pea Ridge Road.</p>	DRC 11/23/16	All County Surveying	Tammy
<p>P-FY-17-05 - Consider and take action on the Final Plat of Whispering Oaks, a .455 +/- acres, 2-lots, 1-block, residential subdivision, situated in the R.M. Williamson Survey, Abstract No. 905, Bell County, Texas, being all of Lots 1, 2, and 3, Block 1 of Woodbridge Creek, Phase IV, located at 3910-3912 Whispering Oaks.</p>	DRC 11/23/16 Mylars received for signatures and recordation	All County Surveying	Mark
<p>P-FY-17-06 - Consider and take action on the Final Plat of Bell Tower Apartments, a 10.815 +/- acres, 1-lot, 1-block, residential subdivision, in the Maximo Moreno Survey, Abstract No. 14, in the City of Temple, Bell County, Texas, being a part of that called 69.273 acre tract, located at 3503 South 5th Street.</p>	DRC 11/23/16 Awaiting response to Post-DRC comments	Pacheco-Koch	Mark
<p>P-FY-17-07 - Consider and take action on the Amending Plat of Tanglewood Amending Plat #1, a 0.688 +/- acres, 1-lot, 1-block, residential subdivision, situated in the R.P. Forbes Survey, Abstract No. 313, Bell County, Texas, located at 16047 Salado Drive, Temple, Texas.</p>	DRC 12/08/16; awaiting response to Post-DRC	All County Surveying	Mark
<p>P-FY-17-09 - Consider and take action on the Final Plat of Tennessee Valley, a 17.652 +/- acres, 27-lot, 2-block, residential subdivision, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located at 13130 FM 2305.</p>	Waiting on revisions from applicant	Cory Herring on behalf of Brad Dusek	Dessie
<p>P-FY-17-10 - Consider and take action on the Final Plat of Professional Holdings Addition, a 0.916 +/- acres, 1-lot, 1-block, non-residential subdivision, of Park Terrace Development, located at 2201 Southwest H.K. Dodgen Loop.</p>	Waiting on revisions from applicant	Advanced Surveying & Mapping	Dessie
<p>A-FY-16-10 - Hold a public hearing to consider an Ordinance abandoning a 20 foot wide alley (undeveloped), on Lot 1 and Lot 2, Block 3 of Keaton Addition, 905, 906 and 910 North 31st Street, more fully shown in the attached exhibit.</p>	City Council 1/19/17	Wes Teeters	Dessie

Future Commission Projects	Status	Applicant	Project Mgr.
<p>P-FY-17-11 - Consider and take action on the Final Plat of Martha Legg Addition, a 1.468 +/- acres, 1-lot, 1-block, residential subdivision, situated in the J.M. Porter Survey, Abstract No., 648, Bell County, Texas, located north of FM 439, directly east of the intersection of Stacey Drive and Jamie Drive, in Temple's western extra territorial jurisdiction (ETJ).</p>	<p>DRC 12/19/16 Awaiting response to Post-DRC comments</p>	<p>Turley Associates</p>	<p>Mark</p>
<p>P-FY-17-12 - Consider and take action on the Final Plat of Brazell Estates, a 4.47 +/- acres, 1-lot, 1-block, residential subdivision, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located north of Stallion Road, south of Beagle Road, and east of Heidenheimer Road in Temple's eastern extra territorial jurisdiction (ETJ).</p>	<p>DRC 12/19/16</p>	<p>All County Surveying</p>	<p>Tammy</p>
<p>P-FY-17-13 - Consider and recommend action on the Final Plat of Cliff Lake Addition, a 1.416 +/- acres, Lots One and Two, Block One, Lakeview Unit One, a residential subdivision, located north of East Lakeshore Drive, Bell County, in Temple's and Belton's Extra Territorial Jurisdictions.</p>	<p>DRC 01/05/17</p>	<p>Pedro Quintero</p>	<p>Mark</p>
<p>P-FY-17-14 - Consider and recommend action on the Final Plat of Legacy Ranch, Phase, an 89.09 +/- acres, 135 lots, 14 blocks, resident subdivision with 4 non-residential tracts (lots) located at the northwest corner of FM 93 and South 31st Street.</p>	<p>DRC 01/05/17</p>	<p>Patrick Johnson</p>	<p>Dessie</p>
<p>A-FY-17-01 - Hold a public hearing to consider an Ordinance abandoning an 11,582 square foot (0.266 acre) tract of land, located in the Maximo Moreno Survey, Abstract No. 14, in the City of Temple, Bell County, Texas, more fully shown in the attached exhibit, in order to create a new easement which will align with the entrance to the development.</p>	<p>City Council 1/05/17</p>	<p>Pacheco Koch on behalf of Robert Murray/H198, LLC</p>	<p>Mark</p>
<p>A-FY-17-02 - Hold a public hearing to consider an Ordinance abandoning a 10-foot wide utility easement on 0.057 +/- acres situated in the B. Robertson Survey, Abstract 17, Bell County, Texas being a portion of Lots 8, 9, 10, 11, 12, 16, 17, 18, 19 and 20, Block 13 of Hilldell Estates, to allow for construction of a retail building, located at 30 South Pea Ridge Road.</p>	<p>City Council 01/19/17</p>	<p>All County Surveying</p>	<p>Dessie</p>

Future Commission Projects	Status	Applicant	Project Mgr.
<p>A-FY-17-03 - Hold a public hearing to consider an Ordinance abandoning an alley and ROW on parcel ID's 167390, 10570, 55720, 15662, 78905, 21025, 21024, 21026, 115234, 21027, 21028, 21029, 21030 and 78907, an 11.07 +/- situated in the Maximo Moreno Survey, Abstract 14, Original Tow of Temple and Moore's Railway Addition, located at West Avenue A, West Avenue B, South 3rd Street, South 5th Street, South 7th Street, South 9th Street and South 11th Street.</p>	<p>City Council 01/19/17</p>	<p>COT</p>	<p>Mark</p>

City Council Final Decisions	Status
<p>Z-FY-17-01: Consider adopting an ordinance authorizing a rezoning from the Agricultural zoning district to the commercial zoning district on 1.89 +/- acres situated in the City of Temple, Bell County, Texas, located at 5890 West Adams Avenue.</p>	<p>APPROVED at 2nd Reading on December 15, 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	P	P	P	P	P	P	P	P	23	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	A	P	P	P	P	P	P	21	3
David Jones	P	A	P	P	P	P	A	P	P	A	P	P	18	6
Greg Rhoads	P	A	P	P	P	P	P	P	P	P	P	P	20	4
Will Sears	A	P	A	P	P								11	6
Lester Fettig	P	P	A	P	A	P	P	P	P	P	A	P	20	4
Jeremy Langlely		P	P	P	P	P	A	A	P	P	P	P	9	2
Bryant Ward						P	P	A	P	P	P	P	6	1
Lee Armstrong						P	P	P	P	A	P	P	6	1
Derek Marshall										P	P	P	3	

 not a P&Z Commissioner