



**MEETING OF THE
TEMPLE CITY COUNCIL
MUNICIPAL BUILDING
2 NORTH MAIN STREET
3rd FLOOR – CONFERENCE ROOM
THURSDAY, APRIL 6, 2017
3:30 P.M.
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 6, 2017.
2. Receive a presentation regarding a proposed Outside Agency Funding Policy.
3. Discuss Water System Update and Master Planning.
4. Discuss the possible purchase of approximately 74 acres of land located on Poison Oak Road for potential use by the Parks and Recreation Department.

Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.

5:00 P.M.

MUNICIPAL BUILDING

**2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR
TEMPLE, TX**

**TEMPLE CITY COUNCIL
REGULAR MEETING AGENDA**

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

Citizens who desire to address the Council on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to three minutes. No discussion or final action will be taken by the City Council.

III. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. National Social Work Month – March 2017
4. Fair Housing Month – April 2017

IV. CONSENT AGENDA

All items listed under this section, Consent Agenda, are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda at the request of any Councilmember and will be considered separately.

5. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

Minutes

- (A) [March 16, 2017 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2017-8587-R](#): Consider adopting a resolution authorizing the purchase of one Toro Groundsmaster 4500-D mower in the amount of \$64,338.41 from Professional Turf Products, L.P. of Euless.
- (C) [2017-8588-R](#): Consider adopting a resolution authorizing the purchase and installation of an emergency generator for City Hall in the estimated amount of \$150,000 from Loftin Equipment Company, Inc. of Universal City.

- (D) [2017-8589-R](#): Consider adopting a resolution authorizing a Microsoft Software Enterprise Agreement with SHI Government Solutions of Austin, in the amount of \$167,897.
- (E) [2017-8590-R](#): Consider adopting a resolution authorizing a geographical information system license agreement and maintenance contract with Environmental Systems Research Institute, Inc., of San Antonio, in the amount of \$50,000.
- (F) [2017-8591-R](#): Consider adopting a resolution authorizing a services agreement with Knight Security Systems, LLC of Austin for the purchase and installation of 17 surveillance cameras and the relocation of three existing cameras at the Police Facility in the amount of \$36,765.32.
- (G) [2017-8592-R](#): Consider adopting a resolution authorizing the purchase of four properties necessary for the construction of the proposed Santa Fe Market Trail/MLK Fields festival grounds and authorizing closing costs associated with the purchases, in an estimated amount of \$105,000, relocation benefits in an estimated amount of \$32,000, and release of liens totaling approximately \$6,010.
- (H) [2017-8593-R](#): Consider adopting a resolution authorizing the purchase of 11 vehicles from various vendors, in the amount of \$274,380.17.
- (I) [2017-8594-R](#): Consider adopting a resolution authorizing a construction contract with Holy Contractors, LLC of Hewitt, in the amount of \$34,999.99, for drainage improvements at the Summit Recreation Center.
- (J) [2017-8595-R](#): Consider adopting a resolution authorizing the City Manager to enter into a contract between the City of Temple and the Department of the Army, Corps of Engineers to reimburse the City for salary and benefit expenses and vehicle cost related to police patrols at Temple Lake Park from May 6, 2017 through September 4, 2017.
- (K) [2017-8596-R](#): Consider adopting a resolution authorizing a First Amendment to the Development Agreement between the City of Temple and John Earl Fielding to allow a subdivision of property without requiring voluntary annexation.
- (L) [2017-8597-R](#): Consider adopting a resolution authorizing a Mutual Aid Agreement between the Fort Hood Fire Department and City for mutual aid by the respective fire departments at various locations.
- (M) [2017-8598-R](#): Consider adopting a resolution authorizing an interlocal agreement with the Texas Department of State Health Services for the provision of on-line computer services including access to Texas Electronic Registration Remote System for vital records through August 31, 2019.

Misc.

- (N) [2017-8599-R](#): Consider adopting a resolution authorizing the rejection of all bids received on February 24, 2017, for a 1-ton crew cab and chassis, dual rear wheels with utility body truck.

- (O) [2017-8600-R](#): Consider adopting a resolution suspending the April 21, 2017 effective date of Oncor Electric Delivery Company's requested rate change and approving cooperation with the Steering Committee of Cities Served by Oncor to hire legal and consulting services and to negotiate with Oncor and direct any necessary litigation and appeals.
- (P) [2017-8601-R](#): Consider adopting a resolution setting rates and associated fees for recycling processing and collection services and authorizing the City Manager to establish processing fees and rebate schedules as needed to support operation of the recycling program.
- (Q) [2017-8602-R](#): Consider adopting a resolution appointing Brynn Myers as the interim City Manager and setting compensation for the position.
- (R) [2017-8603-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

V. REGULAR AGENDA

ORDINANCES – SECOND READING/PUBLIC HEARING

- 6. [2017-4833](#): SECOND READING - PUBLIC HEARING - Z-FY-17-03: Consider adopting an ordinance authorizing a rezoning from the Neighborhood Services zoning district to the Planned Development Neighborhood Services zoning district and site/development plan on 3.5718 +/- acres, proposed for a nonresidential subdivision for a mini-storage facility, which is a reduced scope from the original 7.35 +/- acres request, situated on a portion of 1-lot, 1-block, RVOS addition, located at 5785 South 31st Street, Temple, Texas.

ORDINANCES – FIRST READING/PUBLIC HEARING

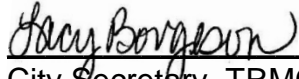
- 7. [2017-4836](#): FIRST READING - PUBLIC HEARING - Z-FY-17-19: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to General Retail zoning district on 3.91 +/- acres, Lot 1 Block 1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas.
- 8. [2017-4837](#): FIRST READING – PUBLIC HEARING - Z-FY-17-20: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Single Family-Three, General Retail, and Office-Two zoning districts on 81.173 +/- acres, situated in the B. Stracener Survey, Abstract No. 746, Bell County, Texas, located at 3131 Lower Troy Road.
- 9. [2017-4838](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing amendments the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2022 Master Plan for years FY 2017-2019.

RESOLUTIONS

- 10. [2017-8604-R](#): I-FY-17-02: Consider adopting a resolution approving an appeal of standards to Sec. 6.7 of the Unified Development Code related to I-35 Corridor Overlay Zoning District in Freeway Retail/Commercial Sub District requirements for landscaping, lighting and architecture for a redeveloped car dealership (new Garlyn Shelton BMW) at 5420 Midway Drive.

The City Council reserves the right to discuss any items in executive (closed) session whenever permitted by the Texas Open Meetings Act.

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 1:30 PM, on Friday, March 31, 2017.



City Secretary, TRMC



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) March 16, 2017 Special and Regular Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

ITEM SUMMARY: Copies of minutes are enclosed for Council review.

FISCAL IMPACT: N/A

ATTACHMENTS:

[March 16, 2017 Special and Regular Meeting](#)



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(B)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, CPRP, Parks and Recreation Director
Jeff Ward, Director of Golf

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of one Toro Groundsmaster 4500-D mower in the amount of \$64,338.41 from Professional Turf Products, L.P. of Euless.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Currently, the Sammons Golf Course has a 2007 Toro Groundsmaster mower that has been identified for replacement. This piece of equipment is used to cut the largest amount of acreage at the golf course (approximately 65 acres twice per week). This mower is used daily from March through October during the growing season.

Professional Turf Products has been awarded contract #447-14 by BuyBoard, a governmental purchasing cooperative, which supports this purchase. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement rules for Texas municipalities.

Staff has used Professional Turf Products in the past and finds them to be a responsive and responsible vendor.

FISCAL IMPACT: Funding for the purchase of the Toro Groundsmaster Mower is available in account 110-5931-551-6222, project #101635, in the amount of \$64,339 as follows:

Project Budget	\$65,000
Profession Turf Products	(64,339)
Remaining Project Funds	<u><u>\$661</u></u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF ONE TORO GROUNDSMASTER 4500-D MOWER IN THE AMOUNT OF \$64,338.41, FROM PROFESSIONAL TURF PRODUCTS, LP, OF EULESS, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Sammons Golf Course has a 2007 Toro Groundsmaster mower that has been identified for replacement, and is used daily from March through October to cut the largest amount of acreage at the golf course;

Whereas, Professional Turf Products, LP has been awarded a BuyBoard Governmental Purchasing Cooperative contract, which supports this purchase - contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement rules for Texas municipalities;

Whereas, Staff has used Professional Turf Products in the past and finds them to be a responsive and responsible vendor;

Whereas, Staff recommends Council authorize the purchase of one Toro Groundsmaster 4500-D mower in the amount of \$64,338.41, from Professional Turf Products, LP of Euless, Texas utilizing BuyBoard Government Purchasing Cooperative Contract No. 447-14;

Whereas, funding for this purchase is available in Account No. 100-5931-551-6222, Project No. 101635; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of one Toro Groundsmaster 4500-D mower in the amount of \$64,338.41, from Professional Turf Products, LP of Euless, Texas utilizing BuyBoard Government Purchasing Cooperative Contract No. 447-14.

Part 3: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution 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 this the **6th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(C)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase and installation of an emergency generator for City Hall in the estimated amount of \$150,000 from Loftin Equipment Company, Inc. of Universal City.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of the purchase and installation of a new 100 kw diesel generator with 400-amp automatic transfer switch will provide for the replacement of a generator that has exceeded its useful life and has become unreliable. This City Hall generator is key to the protection of the City's data center that provides computing, network and telecommunications services for all City departments.

City Hall recently experienced a catastrophic power outage causing City Hall to lose power for two hours. Typically this is not an issue for our data center since we have an automated transfer switch that will bypass the electrical panels in the building and transfer power to a 75 kw generator that is at City Hall, but when the 25-year old generator failed to start up, it put the City data center at risk of losing significant pieces of computer equipment and data. Though the city has an uninterruptible power supply (UPS) that provides power to our servers and communications for 45 minutes, unfortunately the power coming into City Hall was unavailable for two hours and when the generator failed to power up and after 45 minutes, we experienced a complete power failure to the data center.

Staff is very concerned about another power outage and the generator not working properly. The one occurrence caused damaged to several components and disabled staff from functioning using any technology resources for several days as the data was restored. Staff has evaluated the risks of another power failure and has concluded that another major electric outage could put at risk over \$2,000,000 worth of servers, telecommunications and network equipment in the data center, not to mention the possible loss of data.

Per the requirement of the Texas Engineering Practices Act, staff has administratively engaged Rabroker & Associates, a local electrical engineering firm, to assist with the evaluation and design of a generator replacement. In addition, staff is also working closely with Loftin Equipment Company, Inc. (Loftin), the City's annual contract holder for generator maintenance and repair. Loftin has stated that they cannot guarantee that the generator will operate properly due to the age of the equipment and mechanical issues such as water in the oil.

Staff is recommending the purchase of a new 100 kw generator at an estimated cost of \$31,000. The equipment purchase is supported under the Houston-Galveston Area Council of Governments (H-GAC) contract GE02-16 awarded to Loftin. The services portion of the contract in the estimated amount of \$119,000 is not supported under the H-GAC contract; however, because of the time sensitivity in getting a reliable generator in place, staff is recommending that Loftin be used to install and startup the generator using the bidding exemption under the Local Government Code §252.022(a)(3), a procurement necessary because of unforeseen damage to equipment.

If authorized by Council, Loftin will begin preparatory work for the project in April with the anticipated arrival of the generator, which has a six to eight week delivery lead time, in May.

FISCAL IMPACT: Funding for the purchase and installation of an emergency generator for City Hall, in the estimated amount of \$150,000 is partially available in the FY2017 Operating Budget. A budget adjustment is being presented to Council to appropriate the additional funding needed by reallocating funds from projects originally funded from Limited Tax Notes that will now be funded from the Lone Star Energy Loan, as shown below:

	110-5924-519-6222	364-2400-519-6222	Total
	101639	101639	
Project Budget	\$ 61,871	-	\$ 61,871
Budget Adjustment	-	88,129	88,129
Encumbered/Committed to Date	-	-	-
Loftin Equipment Company	(61,871)	(88,129)	(150,000)
Remaining Project Funds	\$ -	\$ -	\$ -

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY **2017****BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
364-2400-519-62-22	101639	Cap Bldg & Grnds / Emer Generator	\$ 88,129			
364-2011-521-63-10	101568	Cap Bldg & Grnds / Upgrade Lighting			69,519	
364-3800-519-63-10	101403	Cap Bldg & Grnds / Updt Exter Lighting			18,610	
TOTAL.....			\$ 88,129		\$ 88,129	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To reallocate funding for the purchase a replacement emergency generator for City Hall. Funding is available from Limited Tax Notes' projects that will now be funded through the LoanSTAR loan program.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

4/6/2017

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date

☐ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR FOR CITY HALL, IN THE ESTIMATED AMOUNT OF \$150,000 FROM LOFTIN EQUIPMENT COMPANY, INC. OF UNIVERSAL CITY, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City recently experienced a catastrophic power outage at City Hall when the 25-year old generator failed to start up, putting the City data center at risk of losing significant pieces of computer equipment and data;

Whereas, the City has an uninterruptible power supply that provides backup power to City servers and communications for 45 minutes, however on this day, the aged generator failed to power up and the City experienced complete power failure to the data center;

Whereas, the aged generator has exceeded its useful life, has become unreliable and cannot be guaranteed that it will continue to operate properly;

Whereas, per the requirement of the Texas Engineering Practices Act, Staff engaged Rabroker & Associates and Loftin Equipment Company, Inc., (“Loftin”), the City’s annual contract holder for generator maintenance and repair, to assist with the evaluation and design of a replacement generator;

Whereas, Staff recommends Council authorize the purchase and installation of a new emergency generator for City Hall, in the estimated amount of \$150,000 from Loftin Equipment Company, Inc. of Universal City, Texas, utilizing a Houston-Galveston Area Council of Governments (HGAC) contract GE02-16;

Whereas, the services portion of this contract is not supported under the HGAC contract, however, because of time sensitivity, Staff recommends Loftin be used to install and startup the generator using the bidding exemption under the Local Government Code §252.022(a)(3), a procurement necessary because of unforeseen damage to equipment;

Whereas, contracts awarded through Houston-Galveston Area Cooperative contract have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funding is available in the fiscal year 2017 Operating Budget, however a budget adjustment needs to be approved to appropriate additional funding needed by reallocating funds from projects originally funded from Limited Tax Notes that will now be funded from the Lone Star Energy Loan in Account No. 110-5924-519-6222 and Account No. 364-2400-519-6222, Project No. 101639;

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase and installation of an emergency generator for City Hall in the estimated amount of \$150,000, from Loftin Equipment Company, Inc. of Universal City, Texas, utilizing a Houston-Galveston Area Council of Governments contract.

Part 3: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

Part 4: The City Council authorizes an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

Part 5: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(D)
Consent Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Microsoft Software Enterprise Agreement with SHI Government Solutions of Austin, in the amount of \$167,897.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this software agreement will provide for the continued use of Microsoft office applications from May 1, 2017 through April 30, 2018.

The City currently uses Microsoft for all of our office applications, as well as database servers, throughout the City. The primary Microsoft applications currently used include the following: Microsoft Word, PowerPoint, Excel, Sharepoint, Outlook, and Publisher, as well as Enterprise solutions for servers and operating systems.

After reviewing some of the volume licensing programs that were presented, we decided to request a Microsoft Enterprise Agreement that covers Microsoft Office Professional and the Microsoft Core Client Access License (CAL) Suite—including the Windows Server® 2012 operating system, Microsoft Exchange Server, Microsoft Systems Management Server, and Microsoft Office SharePoint® Portal Server—for all of the City computers. The agreement also covers a wide variety of additional technologies including Windows Server, Exchange Server, Internet Security and Acceleration Server, SQL Server™, and Microsoft Operations Manager licenses for 25 servers.

This year we would like to move to Office 365 so that all employees have the ability to work across multiple devices, from anywhere, and have a consistent, clean, and fast experience. It will enable staff to establish settings that roam with the employee so files are up to date and ready to pick up right where the employee left the file, no matter what device is being used. This also will give us new access for online collaboration and meeting tools instead of having to go through a hosted service such as Webex or Go-To-Meeting. In addition, Office 365 will provide for simplified legal compliance by using in-place legal holds which will be hosted by Microsoft, allowing our staff more time to concentrate on security compliance.

In summary, Office 365 will provide the following:

Advanced email	Use archiving and legal hold capabilities, plus unlimited storage, for compliance needs. And use data loss prevention (DLP) policies and policy tips that educate your users for additional compliance enforcement in email.
Document and email access control	Rights Management Services enables you to restrict access to documents and email to specific people and to prevent anyone else from viewing or editing them, even if they are sent outside the organization.
Online conferencing	Host online meetings with audio and video using one-click screen sharing and HD video conferencing.
Instant messaging and Skype connectivity	Connect with other Lync users via instant message, voice calls, and video calls, and let people know your availability with your online status. Share presence, IM, and audio calling with Skype users.
File storage and sharing	OneDrive for Business gives each user 25 GB of personal cloud storage that can be accessed from anywhere and that syncs with their PC for offline access. Easily share documents with others inside and outside the organization and control who can see and edit each file.
Team sites	Enable easy access and sharing of documents with 10 GB of baseline storage plus 500 MB of storage per user. Share insights through interactive reports with Excel Services and Visio Services, and view them on mobile device browsers that support HTML5.
Site mailboxes	Make it easier for teams to collaborate. Store and share email and documents in project-specific folders, so everyone on the team can find the information they need fast.
Yammer Enterprise	Keep ideas and work moving with enterprise social networking that makes collaborating with the right people easy and that comes with advanced support, security, administration, and integrations.
Office Online	Create and edit Word, OneNote, PowerPoint, and Excel documents from a browser.
Mobility	Sync email, calendar, and contacts; access SharePoint sites; view and edit Office documents with Office Online using a browser on Windows Phone, iOS, and Android devices.

This is the eighth year of the City's Enterprise Agreement and through the Enterprise Agreement we are able to more effectively standardize software across all desktops and take advantage of many of the included software assurance benefits, including New Version Rights, Desktop Deployment Planning Services, Training Vouchers, Microsoft eLearning, Home Use Program, 24x7 Problem Resolution Support, a TechNet Plus subscription, and Extended Hotfix's. The pricing has increased by \$40,000 based on the fact that our original license agreement was based on 500 users, but we now have close to 750 users citywide.

Prior to 2010, it was the Information Technology Department's practice of purchasing new licenses every three to four years through a select agreement program because we felt the Enterprise Agreement was more expensive over the three to four year period, but the pricing now has reversed in the sense that it is less costly to go through a yearly Enterprise Agreement. We also felt that the cycle for software upgrades by Microsoft was about every three to four years but that has changed in the past four years in that software upgrades are on a more frequent basis. This also helps solve a problem in that we would be on the same Enterprise Agreement with many other State and local agencies that currently upgrade their software on a more frequent basis.

SHI Government Solutions has been awarded a Texas Department of Information Resources (DIR) contract #DIR-SDD-2503, which this purchase is recommended for awarded under. Contracts awarded by DIR have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: A budget adjustment is being presented to Council to appropriate funding for the purchase of the Microsoft Enterprise Agreement License and Software with SHI Government Solutions in the amount of \$167,897 in the technology fund account 351-1900-519-2515. This is the eighth year of this Enterprise Agreement.

ATTACHMENTS:

[Budget Adjustment](#)

[Enrollment Agreement - to be provided](#)

[Resolution](#)

FY 2017**BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
351-1900-519-25-15		Other Services- Dues & Subscriptions	\$ 167,897	
351-0000-490-25-82		Transfer In- Desg Capital Proj Fund	\$ 167,897	
110-0000-351-09-43		Desg Capital- Technology Replacement		167,897
110-9100-591-81-51		Transfer Out- Desg Capital Proj Funds	167,897	
		Do Not Post		
TOTAL.....			\$ 503,691	\$ 167,897

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

2017 Microsoft Annual EA Agreement

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

4/6/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

3/20/2017

Date

☒

Approved

☐

Disapproved

Department Head/Division Director

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A MICROSOFT SOFTWARE ENTERPRISE AGREEMENT IN THE AMOUNT OF \$167,897, WITH SHI GOVERNMENT SOLUTIONS OF AUSTIN, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple currently uses Microsoft software for all office applications as well as database servers throughout the City;

Whereas, Staff reviewed several Volume Licensing programs and ultimately chose Microsoft Enterprise Agreement which covers Microsoft Office Professional, Microsoft Core Access License Suite, Windows Server 2012 operating system, Microsoft Exchange Server, Microsoft Systems Management Server, and Microsoft Office SharePoint Portal Server for all City computers;

Whereas, Staff is interested in acquiring Office 365 so all employees have the ability to work across multiple devices, at any location, and continue to have consistent, clean, and a fast computing experience;

Whereas, Office 365 provides new access for online collaboration and meeting tools, as well as providing simplified legal compliance by using in-place legal holds which is hosted by Microsoft, allowing Staff to concentrate on security compliance;

Whereas, SHI Government Solutions has been awarded a Texas Department of Information Resources (“DIR”) contract - contracts awarded through DIR have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, this is the eighth year the City has used the Microsoft Software Enterprise Agreement, and Staff recommends Council authorize this agreement in the amount of \$167,897, with SHI Government Solutions of Austin, Texas, utilizing DIR Contract No. DIR-SDD-2503;

Whereas, funds are available for this agreement, but an amendment to the fiscal year 2017 budget needs to be approved to transfer the funds to Account No. 351-1900-519-2515; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a Microsoft Software Enterprise Agreement in the amount of \$167,897, with SHI Government Solutions of Austin, Texas, utilizing DIR Contract No. DIR-SDD-2503.

Part 3: The City Council approves an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached as Exhibit 'A,' for this purchase.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of April, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(E)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a geographical information system license agreement and maintenance contract with Environmental Systems Research Institute, Inc., of San Antonio, in the amount of \$50,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this purchase will allow for the continued use of Environmental Systems Research Institute's (ESRI's) Geographical Information Systems (GIS) software from May 7, 2017 to May 6, 2018. The GIS software is used to integrate hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information by the following departments: Information Technology, Public Works, Parks, Police, Police, and Fire. GIS allows staff to view, understand, question, interpret, and visualize data in many ways that reveal relationships, patterns, and trends in the form of maps, globes, reports, and charts.

GIS is used for many purposes such as crime analyses, water/wastewater, transportation, parcel studies, 911, planning, zoning, parks, infrastructure, political boundary, topographical, hydrological and census analysis and management. In addition, the GIS software is used for information sharing on our City website.

This Enterprise Licensing Agreement allows the City to take advantage of unlimited licensing and maintenance which will provide the following benefits:

- A lower cost per unit for the licensed software,
- Substantially reduced administrative and procurement expenses,
- Maintenance on all ESRI software deployed under this agreement, and
- Complete flexibility to deploy software products when and where needed.

ESRI is the sole provider of maintenance for the ArcGIS applications software, which the City has been using for three years. Changing GIS software would be cumbersome, and therefore, staff is requesting that this purchase be made from ESRI as the sole source provider.

FISCAL IMPACT: Funding for the GIS license agreement and maintenance contract has been appropriated in the FY17 Information Technology Department operating budget in account 110-1900-519-2338 in the amount of \$50,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A GEOGRAPHICAL INFORMATION SYSTEM LICENSE AGREEMENT AND MAINTENANCE CONTRACT, IN THE AMOUNT OF \$50,000 FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. OF SAN ANTONIO, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Geographical Information System (“GIS”) software is used to integrate hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information through multiple departments throughout the City;

Whereas, GIS allows Staff to view, understand, question, interpret, and visualize data in ways which reveal relationships, patterns, and trends in the form of maps, globes, reports, and charts as well as being used for many purposes such as crime analyses, water/wastewater, transportation, parcel studies, 911, planning, zoning, parks, infrastructure, political boundary, topographical, hydrological and census analysis and management;

Whereas, the Enterprise Licensing Agreement allows the City to take advantage of unlimited licensing and maintenance which will provide a lower cost per unit for licensed software, substantially reducing administrative and procurement expenses, maintenance on all ESRI software deployed under this agreement and complete flexibility to deploy software products when and where needed;

Whereas, Environmental Systems Research Institute (“ESRI”) is the sole provider of maintenance for the ArcGIS applications software and changing software would be cumbersome - therefore, Staff requests this purchase be made through ESRI as the sole source provider;

Whereas, funding for this license agreement and maintenance contract has been appropriated in the fiscal year 2017 Information Technology Department’s operating budget in Account No. 110-1900-519-2338; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, to execute a Geographical Information System license agreement and maintenance contract in the amount of \$50,000, with Environmental Systems Research Institute, Inc. of San Antonio, Texas.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the **6th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(F)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd O. Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing a services agreement with Knight Security Systems, LLC of Austin for the purchase and installation of 17 surveillance cameras and the relocation of three existing cameras at the Police Facility in the amount of \$36,765.32.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this purchase will improve security measures at the Police Facility through the installation of 17 additional IP surveillance cameras and the strategic relocation of three pre-existing cameras. All cameras will be high definition with various angle views depending on their location and monitoring responsibility, and the cameras will all interface with the video surveillance system already in use at the Police Facility.

Knight Security Systems, LLC has been awarded Contract #DIR-TSO-3230 by the Texas Department of Information Resources (DIR), which this services agreement is being recommended under. Contracts awarded by DIR have been competitively procured and meet the statutory requirements for Texas municipalities.

Knight Security Systems, LLC installed the current video surveillance system at the Police Facility and staff was pleased with the quality of their work.

FISCAL IMPACT: Funding for the cameras, install, hardware, system licenses, programming, and configuration, is appropriated in accounts as shown below:

Account	Project #	Description	Available
110-2011-521-2229		Funds taken out of state seized funds	\$ 18,154
260-2000-521-2211		Remaining funds from JAG 2015 and the entire funds from JAG 2016	\$ 18,612
		Total Funding Available	<u>\$ 36,766</u>

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY 2017

+ -

<p>EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.</p> <p>State seized funds will be used to purchase and install 17 new IP surveillance cameras. System installation includes hardware, system licenses, programming, and configuration.</p>
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			X		
--	--	--	---	--	--

☒ Yes

11

No

4/6/2017



Yes

No

3/28/17
Date

X

Approved

Disapproved

Date _____

Approved

Disapproved

Date _____

Approved

Disapproved

FY 2017**BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.
Adjustments should be rounded to the nearest \$1.

		+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE
260-0000-431-01-63		Federal Grants	\$ 18,061		
260-2000-521-22-11		Instruments/Special Eqmt	18,061		
TOTAL.....			\$ 36,122		\$ -

EXPLANATION OF ADJUSTMENT REQUEST - Include justification for increases AND reason why funds in decreased account are available.

Appropriate funds to purchase 17 surveillance cameras from the FY 2016 Edward Byrne Assistance Grant (JAG).

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

4/6/2017

WITH AGENDA ITEM?

☒ Yes

☐ No

Simon Tobin, Simon Tobin
 Department Head/Division Director

3/28/17
 Date

☒ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A GEOGRAPHICAL INFORMATION SYSTEM LICENSE AGREEMENT AND MAINTENANCE CONTRACT, IN THE AMOUNT OF \$50,000 FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. OF SAN ANTONIO, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Geographical Information System (“GIS”) software is used to integrate hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information through multiple departments throughout the City;

Whereas, GIS allows Staff to view, understand, question, interpret, and visualize data in ways which reveal relationships, patterns, and trends in the form of maps, globes, reports, and charts as well as being used for many purposes such as crime analyses, water/wastewater, transportation, parcel studies, 911, planning, zoning, parks, infrastructure, political boundary, topographical, hydrological and census analysis and management;

Whereas, the Enterprise Licensing Agreement allows the City to take advantage of unlimited licensing and maintenance which will provide a lower cost per unit for licensed software, substantially reducing administrative and procurement expenses, maintenance on all ESRI software deployed under this agreement and complete flexibility to deploy software products when and where needed;

Whereas, Environmental Systems Research Institute (“ESRI”) is the sole provider of maintenance for the ArcGIS applications software and changing software would be cumbersome - therefore, Staff requests this purchase be made through ESRI as the sole source provider;

Whereas, funding for this license agreement and maintenance contract has been appropriated in the fiscal year 2017 Information Technology Department’s operating budget in Account No. 110-1900-519-2338; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, to execute a Geographical Information System license agreement and maintenance contract in the amount of \$50,000, with Environmental Systems Research Institute, Inc. of San Antonio, Texas.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the **6th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(G)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of four properties necessary for the construction of the proposed Santa Fe Market Trail/MLK Fields festival grounds and authorizing closing costs associated with the purchases, in an estimated amount of \$105,000, relocation benefits in an estimated amount of \$32,000, and release of liens totaling approximately \$6,010.

Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The development of the Santa Fe Market Trail project is in conjunction with the recently developed Downtown Master Plan. The Santa Fe Market Trail project will extend from the future Santa Fe Plaza east to Martin Luther King, Jr. Drive.

In February 2016, Council entered into a services agreement with Stateside Right of Way Services, LLC (“Stateside”) for land acquisition and relocation services for approximately 20 tracts of land. As the design phase of this project progressed, the Parks & Recreation Department and the Project Committee for the Reinvestment Zone No. 1 Board requested that six additional parcels be acquired for use in the project. Council entered into a second services agreement for these six parcels in December 2016.

Appraisals have been performed on all of the parcels and the City has made offers to the owners. Two of the six properties have been acquired. Stateside has been actively negotiating with the remaining owners. An agreement has been reached with one of the remaining owners and agreements for the remaining three properties are anticipated. One of the remaining property owners is entitled to relocation benefits in the estimated amount of \$32,000. In addition to property acquisition, Staff is seeking authorization to release approximately \$6,010 in mowing liens on the properties.

Staff is seeking authorization to complete the purchase of the following properties and pay necessary closing costs, in an estimated amount of \$105,000, payment of relocation benefits in the estimated amount of \$32,000, as well as releasing approximately \$6,010 in liens. The properties to be acquired are:

204 South Martin Luther King Jr. Drive (Bell CAD ID #27862)
208 South Martin Luther King Jr. Drive (Bell CAD ID #98288)
214 South Martin Luther King Jr. Drive (Bell CAD ID #126317)
220 South Martin Luther King Jr. Drive (Bell CAD ID #12648).

FISCAL IMPACT: Funding is available for the costs associated with acquisition expenses of the above listed properties, which is necessary for the construction of the proposed Santa Fe Market Trail/MLK Fields festival grounds, in an amount of \$143,010 in account 795-9500-531-6566, project #101262.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF FOUR PROPERTIES NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED SANTA FE MARKET TRAIL/MLK FIELDS FESTIVAL GROUNDS; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES IN AN ESTIMATED AMOUNT OF \$105,000; AUTHORIZING THE PAYMENT OF RELOCATION EXPENSES IN AN ESTIMATED AMOUNT OF \$32,000; AND RELEASING LIENS IN AN ESTIMATED AMOUNT OF \$6,010; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the development of the Santa Fe Market Trail project is in conjunction with the recently developed Downtown Master Plan and will extend from the future Santa Fe Plaza east to Martin Luther King, Jr. Drive;

Whereas, in February 2016, Council entered into a services agreement with Stateside Right of Way Services, LLC (“Stateside”) for land acquisition and relocation services for approximately 20 tracts of land;

Whereas, as the design phase progressed, the Parks & Recreation Department and the Project Committee for the Reinvestment Zone No. 1 Board requested 6 additional parcels be acquired for use in the project – Council entered into a second services agreement for these 6 additional parcels in December 2016;

Whereas, appraisals have been performed on all of the parcels, the City has made offers to the owners, and two of the six properties have been acquired - Stateside Right of Way Services is actively negotiating with the remaining property owners;

Whereas, an agreement has been reached with one of the remaining property owners and agreements with the remaining three are anticipated soon – one of the remaining property owners is entitled to relocation benefits in the estimated amount of \$32,000 and in addition to the acquisition of this property, Staff recommends Council authorize the release of approximately \$6,010 in mowing liens;

Whereas, Staff recommends Council authorize the purchase of the following properties, authorize the payment of necessary closing costs in an estimated amount of \$105,000, authorize the payment of relocation benefits in the estimated amount of \$32,000 and authorize the release of mowing liens in the estimated amount of \$6,010:

204 S. Martin Luther King, Jr. Drive
214 S. Martin Luther King, Jr. Drive

208 S. Martin Luther King Jr. Drive
220 S. Martin Luther King Jr. Drive

Whereas, funding is available for the purchase of these properties in Account No. 795-9500-531-6566, Project No. 101262; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of four properties located at 204, 208, 214 & 220 S. Martin Luther King, Jr. Drive, Temple, Texas, authorizes the payment of closing costs associated with the purchases in an estimated amount of \$105,000, authorizes the payment of relocation benefits in an estimated amount of \$32,000, and authorizes the release of mowing liens in an estimated amount of \$6,010.

Part 3: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for these purchases and the release of liens.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(H)
Consent Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing
Kirk Scopac, Fleet Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 11 vehicles from various vendors, in the amount of \$274,380.17:

- (1) Four 5-passenger midsize sedan (Ford Fusion SE) from Caldwell Country Ford of Caldwell in the amount of \$74,740 (Bid Tabulation A);
- (2) One 1/2-Ton Light Duty Full-Size Pickup (Ram 1500) from Mac Haik Dodge of Temple in the amount of \$22,920 (Bid Tabulation B);
- (3) Two 1/2-Ton Light Duty Full-Size Economy Pickups (Ram 1500) from Mac Haik Dodge of Temple in the amount of \$45,840 (Bid Tabulation C);
- (4) One 3/4-Ton Light Duty Full Size Pickup (F-250) from Silsbee Ford of Silsbee in the amount of \$29,847.17 (Bid Tabulation D);
- (5) One 3/4-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body (F-250 EXT) from Silsbee Ford of Silsbee in the amount of \$30,846 (Bid Tabulation E);
- (6) One 1-Ton Diesel Crew Cab and Chassis, Dual Rear Wheels with Utility Body (Ram 3500 Crew Cab) from Mac Haik Dodge of Temple in the amount of \$48,490 (Bid Tabulation G); and
- (7) One 6/7 Passenger Van (Grand Caravan) from Mac Haik Dodge of Temple in the amount of \$21,697 (Bid Tabulation H).

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Approval of these vehicle purchases will allow replacement of four older City vehicles as well as the addition of seven vehicles to the City vehicle fleet.

On February 24, 2017, five vendors submitted pricing on eight independent vehicle bids.

Staff recommends award of the following bid to **Caldwell Country Ford**. Caldwell Country Ford took no exception. The City has done business with Caldwell Country Ford in the past and finds them to be a responsible vendor.

Bid Tabulation #A – 5-Passenger Midsize Sedan:

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
A	Police (addition to fleet)	1	110-2011-521-6213	101539	\$25,000.00	\$18,685.00
A	Police (addition to fleet)	1	110-2011-521-6213	101540	\$25,000.00	\$18,685.00
A	Police (addition to fleet)	1	110-2011-521-6213	101542	\$25,000.00	\$18,685.00
A	Police (replaces Asset # 12150)	1	110-5900-521-6213	101544	\$25,905.00	\$18,685.00
Subtotal for four (4) five passenger midsize sedans					\$100,905.00	\$74,740.00

Staff recommends award of the following four bids to **Mac Haik Dodge of Temple**. Mac Haik Dodge took no exceptions. The City has done business with Mac Haik Dodge in the past and finds them to be a responsible vendor.

Bid Tabulation #B – 1/2-Ton Light Duty Full-Size Pickup with 8' Bed:

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
B	Inspections/Permit (addition to fleet)	1	110-5947-519-6213	101525	\$ 26,000.00	\$22,920.00
Subtotal for light duty economy full-size pickup					\$26,000.00	\$22,920.00

Bid Tabulation #C – 1/2-Ton Light Duty Full-Size Economy Pickups:

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
C	Parks(addition to fleet)	1	110-3595-552-6213	101537	\$22,920.00	\$22,920.00
C	Water Distribution (addition to fleet)	1	520-5200-535-6213	101567	\$28,000.00	\$22,920.00
Subtotal for two (2) 1/2-ton light duty full-size pickups					\$50,920.00	\$45,840.00

Bid Tabulation #G – 1-Ton Diesel Crew Cab and Chassis, Dual Rear Wheels with Utility Body:

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
G	Street (replaces Asset#12194)	1	110-5900-531-6213	101554	\$49,750.00	\$48,490.00
Subtotal for 1-ton diesel crew cab and chassis					\$49,750.00	\$48,490.00

Bid Tabulation #H -6/7 Passenger Van:

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
H	Airport (replaces Asset #10650)	1	110-5900-560-6213	101573	\$27,000.00	\$21,697.00
Subtotal for one (1) 6/7-passenger van					\$27,000.00	\$21,697.00

Staff recommends award of the following two bids to **Silsbee Ford**. Exceptions by Silsbee Ford were routine in nature and did not impact the overall quality of the vehicles; accordingly, staff is willing to accept their exceptions. The City has done business with Silsbee Ford in the past and finds them to be a responsible vendor.

Bid Tabulation #D – ¾-Ton Light Duty Full Size Pickup:

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
D	Solid Waste(replaces Asset #12141)	1	110-5900-540-6213	101551	\$30,875.00	\$29,847.17
Subtotal for one (1) ¾- Ton Light Duty Full Size Pickup					\$30,875.00	\$29,847.17

Bid Tabulation #E – ¾ -Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body:

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
E	Parks (addition to fleet)	1	110-5935-552-6213	101538	\$35,000.00	\$30,846.00
Subtotal for one (1) ¾- Ton Light Duty Full Size Pickup					\$35,000.00	\$30,846.00

SUSTAINABILITY IMPACT: The vehicles scheduled for replacement have been evaluated to ensure the most sustainable and fuel efficient vehicles that meet the needs of each department are being purchased. The evaluation for the vehicles were focused on right-sizing the vehicles and fuel options. The vehicles provided have been right-sized for the intended use, have a high MPG and utilize the best fuel option for current costs and availability.

FISCAL IMPACT: Funding is appropriated for the purchase in the amount of \$274,381 of the eleven vehicles identified above in the FY2017 Operating Budget as shown below:

	Purchase Ford Fusion (Addition to Fleet)	Purchase Ford Fusion (Addition to Fleet)	Purchase Ford Fusion (Addition to Fleet)	Replace 2005 Dodge Stratus	
	110-2011-521-6213 Project 101539	110-2011-521-6213 Project 101540	110-2011-521-6213 Project 101542	110-5900-521-6213 Project 101544	Total
Project Budget	\$25,000	\$25,000	\$25,000	\$25,905	\$100,905
Caldwell Country Ford	(18,685)	(18,685)	(18,685)	(18,685)	(74,740)
Remaining Project Funds	\$6,315	\$6,315	\$6,315	\$7,220	\$26,165

	Purchase RAM 1500 (Addition to Fleet)	Purchase RAM 1500 (Addition to Fleet)	Purchase RAM 1500 (Addition to Fleet)	Replace 2005 Chevy Silverado	Replace 2000 Dodge Caravan	
	110-5947-519-6213 Project 101525	110-3595-552-6213 Project 101537	520-5200-535-6213 Project 101567	110-5900-531-6213 Project 101554	110-5900-560-6213 Project 101573	Total
Project Budget	\$26,000	\$22,920	\$28,000	\$49,750	\$27,000	\$153,670
Mac Haik Dodge of Temple	(22,920)	(22,920)	(22,920)	(48,490)	(21,697)	(138,947)
Remaining Project Funds	\$3,080	\$0	\$5,080	\$1,260	\$5,303	\$14,723

	Replace 2005 Ford F150	Purchase Ford F250 (Addition to Fleet)	
	110-5900-540-6213 Project 101551	110-5935-552-6213 Project 101538	Total
Project Budget	\$30,875	\$35,000	\$65,875
Silsbee Ford	(29,848)	(30,846)	(60,694)
Remaining Project Funds	\$1,027	\$4,154	\$5,181

ATTACHMENTS:
[Bid Tabulations \(7\)](#)
[Resolution](#)

Bid "A" Tabulation

**Tabulation of Bids Received
on February 24, 2017 at 2:00 p.m.
Four (4) 5-Passenger Midsize Sedan
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	4	\$18,988.00	\$75,952.00	No Bid	No Bid	\$18,685.00	\$74,740.00
Delivery within 120 days?		Yes		No Bid		Yes	
Exceptions?		None		No Bid		None	
Local Preference?		No		No Bid		No	
Credit Check Authorization		Yes		No Bid		Yes	
Chevrolet Malibu LS				2017 Ford Fusion SE			

		Silsbee Ford Silsbee, TX		MacHaik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	4	\$17,964.28	\$71,857.12	No Bid	No Bid		
Delivery within 120 days?		Yes		No Bid			
Exceptions?		Yes		No Bid			
Local Preference?		No		No Bid			
Credit Check Authorization		Yes		No Bid			
Ford Fusion S							

Recommended for Council Award

Did Not Meet Model Specification

Bid "B" Tabulation

**Tabulation of Bids Received
on February 24, 2017 at 2:00 p.m.
One (1) 1/2-Ton Light Duty Full-Size Pickup
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$20,335.00	\$20,335.00	\$21,537.00	\$21,537.00	\$21,677.00	\$21,677.00
Light Bar		\$1,585.00		\$2,625.00		\$2,295.00	
Spray-on Bed liner		\$436.00		\$456.00		\$495.00	
Back up alarm		\$122.00		\$115.00		\$138.00	
Headache Rack		\$462.00		\$400.00		\$462.00	
Toolbox		\$698.00		\$660.00		\$698.00	
Full length entry steps on both sides		\$466.00		\$276.00		\$280.00	
Unit Price + Aftermarket Add Alternate Options		\$24,104.00		\$26,069.00		\$26,045.00	
Delivery within 180 days?		Yes		Yes		Yes	
Exceptions?		None		Yes		None	
Local Preference?		No		No		No	
Credit Check Authorization		Yes		Yes		Yes	
		Chevrolet 1500 Silverado 4X2 Reg Cab		Ford F150		2017 Ford F150	

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$21,941.56	\$21,941.56	\$19,920.00	\$19,920.00		
Light Bar		\$1,275 + \$60	\$86.95 + \$72	\$1,950.00			
Spray-on Bed liner		\$350.00		Included in Bid Price			
Back up alarm		\$50.00		\$140.00			
Headache Rack		\$305.10 + \$36		\$425.00			
Toolbox		\$563.50 + \$36		\$670.00			
Full length entry steps on both sides		\$148 + \$60		\$260.00			
Unit Price + Aftermarket Add Alternate Options		\$24,984.11		\$22,920.00 (includes discount)			
Delivery within 180 days?		Yes		Yes			
Exceptions?		Yes		None			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			
		Ford F150 Reg Cab		2017 RAM1500			

Recommended for Council Award

Bid "C" Tabulation

**Tabulation of Bids Received
on February 24, 2017 at 2:00 p.m.
Two (2) 1/2-Ton Light Duty Full-Size Economy Pickup
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	2	\$19,989.00	\$39,978.00	\$20,892.00	\$41,784.00	\$21,279.00	\$42,558.00
Sprayed-on bed liner		\$436.00		\$456.00		\$495.00	
Back up alarm		\$122.00		\$115.00		\$138.00	
Low profile toolbox		\$698.00		\$660.00		\$698.00	
Full length entry steps on both sides		\$466.00		\$276.00		\$280.00	
Headache Rack		\$462.00		\$400.00		\$462.00	
Light Bar		\$1,585.00		\$2,625.00		\$2,295.00	
Price + Aftermarket Add Alternate Options		\$23,758.00	\$47,516.00	\$25,424.00	\$50,848.00	\$25,647.00	\$51,294.00
Delivery within 180 days?		Yes		Yes		Yes	
Exceptions?		None		Yes		None	
Local Preference?		No		No		No	
Credit Check Authorization		Yes		Yes		Yes	
		Chevrolet Silverado 1500 Regular Cab 4X2		Ford F150		2017 Ford F150	

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	2	\$22,188.56	\$44,377.12	\$19,920.00	\$39,840.00		
Sprayed-on bed liner		\$350.00		Included with Bid Price			
Back up alarm		\$50.00		\$140.00			
Low profile toolbox		\$563.50 + \$36		\$670.00			
Full length entry steps on both sides		\$148 + \$60		\$260.00			
Headache Rack		\$305.10 + \$36		\$425.00			
Light Bar		\$1,275 + \$60	\$86.95 + \$72	\$1,950.00			
Price + Aftermarket Add Alternate Options		\$25,231.11	\$50,462.22	\$22,920.00 (includes discount)	\$45,840.00		
Delivery within 180 days?		Yes		Yes			
Exceptions?		Yes		None			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			
		Ford F150 Reg Cab		2017 Ram 1500			

Recommended for Council Award

Bid "D" Tabulation

**Tabulation of Bids Received
on February 24, 2017 at 2:00 p.m.
One (1) 3/4-Ton Light Duty Full-Size Pickup
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	No Bid	No Bid	\$23,775.00	\$23,775.00	\$23,923.00	\$23,923.00
Light Bar		No Bid		\$2,625.00		\$2,295.00	
Sprayed-on bed liner		No Bid		\$456.00		\$495.00	
Back up alarm		No Bid		\$128.00		\$138.00	
Hearache Rack		No Bid		\$400.00		\$462.00	
Full length entry steps on both sides		No Bid		\$295.00		\$280.00	
Factory CNG/Propane Gaseous Engine Prep Package		No Bid		\$289.00		\$299.00	
CNG/Propane Bi-Fuel Conversion with tanks and fueling moduel		No Bid		\$10,900.00 17 Gal.	\$11,900.00 23 Gal.	\$11,900.00	
Hydraulic utility body lift gate		No Bid		\$3,065.00		\$2,576.00	
Bid Price + Aftermarket Add				\$41,933.00 17 Gal	\$42,933.00 23 Gal	\$42,368.00	
Alternate Options		No Bid					
Delivery within 180 days?		No Bid		Yes		Yes	
Exceptions?		No Bid		Yes		No	
Local Preference?		No Bid		No		No	
Credit Check Authorization		No Bid		Yes		Yes	
				Ford F250		2017 Ford F250	

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$24,934.12	\$24,934.12	\$27,918.00	\$27,918.00		
Light Bar		\$1,493.95		\$1,950.00			
Sprayed-on bed liner		\$350.00		\$375.00			
Back up alarm		\$50.00		\$140.00			
Hearache Rack		\$341.10		\$425.00			
Full length entry steps on both sides		\$208.00		\$260.00			
Factory CNG/Propane Gaseous Engine Prep Package		\$289.00		N/C			
CNG/Propane Bi-Fuel Conversion with tanks and fueling moduel		\$10,900.00		N/C			
Hydraulic utility body lift gate		\$2,470.00		\$2,475.00			
Bid Price + Aftermarket Add							
Alternate Options		\$29,847.17		\$33,543.00			
Delivery within 180 days?		Yes		Yes			
Exceptions?		Yes		None			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			
				Ford F250 Reg Cab		2017 RAM2500 Tradesman	

Recommended for Council Award

Bid "E" Tabulation

Tabulation of Bids Received on February 24, 2017 at 2:00 p.m.

One (1) 3/4-Ton Light Duty Extended Cab Pickup / Bed Delete with Utility Body Bid# 13-10-17

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	No Bid	No Bid	No Bid	No Bid	\$37,263.00	\$37,263.00
Back up alarm		No Bid		No Bid		\$138.00	
Full length entry steps on both sides		No Bid		No Bid		\$280.00	
Factory CNG/Propane Gaseous Engine Prep Package		No Bid		No Bid		\$299.00	
CNG or Propane Bi-fuel conversion, complete install with fueling moduel and tanks (min 19 gal cap)		No Bid		No Bid		\$12,900.00	
Hydraulic Utility body lift gate		No Bid		No Bid		\$2,576.00	
Light Bar		No Bid		No Bid		\$2,295.00	
Bid Price + Aftermarket Add Alternate Options:		No Bid		No Bid		\$55,751.00	
Delivery within 180 days?		No Bid		No Bid		Yes	
Exceptions?		No Bid		No Bid		Yes	
Local Preference?		No Bid		No Bid		No	
Credit Check Authorization		No Bid		No Bid		Yes	

2017 Ford F250

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$26,495.00	\$26,495.00	\$25,672.00	\$25,672.00		
Back up alarm		\$50.00		\$140.00			
Full length entry steps on both sides		\$208.00		\$260.00			
Factory CNG/Propane Gaseous Engine Prep Package		\$289.00		\$9,500.00			
CNG or Propane Bi-fuel conversion, complete install with fueling moduel and tanks (min 19 gal cap)		\$10,900.00		N/C			
Hydraulic Utility body lift gate		\$2,600.00		\$2,475.00			
Light Bar		\$1,493.00		\$1,950.00			
Bid Price + Aftermarket Add Alternate Options:		\$30,846.00		\$39,997.00 (without Propane unit cost) \$43,497.00 (with Propane Unit cost)			
Delivery within 180 days?		Yes		Yes			
Exceptions?		None		None			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			

Ford F250 Ext

2017 RAM2500 Crew Cab

NOTE: Propane Unit add \$3,500 to both unit numbers.
\$3,500.00

Recommended for Council Award

Bid "G" Tabulation

Tabulation of Bids Received on February 24, 2017 at 2:00 p.m.

One (1) 1-Ton Diesel Crew Cab and Chassis, Dual Rear Wheels with Utility Body
Bid# 13-10-17

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	No Bid	No Bid	No Bid	No Bid	\$49,427.00	\$49,427.00
Light Bar		No Bid		No Bid		\$2,295.00	
Full length entry step on each side		No Bid		No Bid		\$280.00	
Bid Price + Aftermarket Add Alternate Options		No Bid		No Bid		\$52,002.00	
Delivery within 180 days?		No Bid		No Bid		Yes	
Exceptions?		No Bid		No Bid		None	
Local Preference?		No Bid		No Bid		No	
Credit Check Authorization		No Bid		No Bid		Yes	

2017 Ford F350 Chassis

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$49,495.00	\$49,495.00	\$29,955.00 + \$18,535 (Utility Body)	\$48,490.00 (price includes all add alternate options)		
Light Bar		\$1,493.95		\$1,950.00			
Full length entry steps on both sides		\$208.00		\$260.00			
Bid Price + Aftermarket Add Alternate Options		\$51,196.95		\$48,490.00			
Delivery within 180 days?		Yes		Yes			
Exceptions?		None		None			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			

Ford F350

2017 RAM 3500 Crew Cab

Note: Unit Price **\$29,955** did not include Utility Body. Utility Body Cost: **\$18,535**.

Recommended for Council Award

Bid "H" Tabulation

**Tabulation of Bids Received
on February 24, 2017 at 2:00 p.m.
One (1) 6/7 Passenger SUV
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$29,953.00	\$29,953.00	\$25,799.00	\$25,799.00	\$25,871.00	\$25,871.00
Delivery within 120 days?		Yes		Yes		Yes	
Exceptions?		None		Yes		No	
Local Preference?		No		No		No	
Credit Check Authorization		Yes		Yes		Yes	
		Chevrolet Traverse LT		Ford Explorer		2017 Ford Explorer	

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$25,671.00	\$25,671.00	\$21,697.00	\$21,697.00		
Delivery within 120 days?		Yes		Yes			
Exceptions?		No		Yes			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			
		Ford Explorer		2017 Dodge Grand Caravan			

Recommended for Council Award

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 11 VEHICLES FOR VARIOUS DEPARTMENTS, IN THE AMOUNT OF \$274,380.17; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on January 21, 2016, the City received six bids for the replacement of seven older City vehicles as well as the addition of four vehicles as follows:

- Four 5-passenger midsize sedans (Ford Fusion SE) from Caldwell Country Ford of Caldwell, Texas, in the amount of \$74,740;
- One 1/2-Ton Light Duty Full-Size Pickup (Ram 1500) from Mac Haik Dodge of Temple, Texas, in the amount of \$22,920;
- Two 1/2-Ton Light Duty Full-Size Economy Pickups (Ram 1500) from Mac Haik Dodge of Temple, Texas, in the amount of \$45,840;
- One 3/4-Ton Light Duty Full Size Pickup (F-250) from Silsbee Ford of Silsbee, Texas, in the amount of \$29,847.17;
- One 3/4-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body (F-250 EXT) from Silsbee Ford of Silsbee in the amount of \$30,846;
- One 1-Ton Diesel Crew Cab and Chassis, Dual Rear Wheels with Utility Body (Ram 3500 Crew Cab) from Mac Haik Dodge of Temple, Texas, in the amount of \$48,490.00; and
- One 6/7 Passenger Van (Grand Caravan) from Mac Haik Dodge of Temple, Texas, in the amount of \$21,697;

Whereas, Staff recommends award of the four bids to Caldwell Country Ford of Caldwell, Texas – Caldwell Country Chevrolet took no exceptions and the City has done business with Caldwell Country Ford in the past and finds it to be a responsible vendor;

Whereas, Staff recommends award of the five bids to Mac Haik Dodge of Temple, Texas – Mac Haik Dodge took no exceptions and the City has done business with Mac Haik Dodge in the past and finds it to be a responsible vendor;

Whereas, Staff recommends award of the two bids to Silsbee Ford of Silsbee, Texas - the exceptions by Silsbee Ford were routine in nature, did not impact the overall quality of the vehicles, and Staff is willing to accept their exceptions;

Whereas, the City has done business with Silsbee Ford in the past and finds it to be a responsible vendor;

Whereas, the vehicles scheduled for replacement have been evaluated to ensure the most sustainable and fuel efficient vehicles which will meet the needs of the department for which they are being purchased;

Whereas, the evaluation for the vehicles was focused on right-sizing the vehicle and fuel options - the above listed vehicles have been right-sized for the intended use, have a high MPG and utilize the best fuel option for current costs and availability;

Whereas, funding for the purchase of eleven vehicles was included in the Council adopted fiscal year 2017 budget in Accounts outlined below:

- Police – Account No. 110-2011-521-6213, Project No. 101539;
- Police – Account No. 110-2011-521-6213, Project No. 101540;
- Police – Account No. 110-2011-521-6213, Project No. 101542;
- Police – Account No. 110-5900-521-6213, Project No. 101544;
- Inspections/Permits – Account No. 110-5947-519-6213, Project No. 101525;
- Parks - Account No. 110-3539-552-6213, Project No. 101537;
- Water Distribution – Account No. 520-5200-535-6213, Project No. 101567;
- Solid Waste – Account No. 110-5900-540-6213, Project No. 101551;
- Parks – Account No. 110-5935-552-6213, Project No. 101538;
- Streets – Account No. 110-5900-531-6213, Project No. 101554;
- Airport – Account No. 110-5900-560-6213, Project No. 101573; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of 11 vehicles for various departments as outlined above, in the amount of \$274,380.17, from Caldwell Country Ford of Caldwell, Texas, Mac Haik Dodge of Temple, Texas, and Silsbee Ford of Silsbee, Texas.

Part 3: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for these purchases.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(I)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, CPRP, Director of Parks & Recreation
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Holy Contractors, LLC of Hewitt, in the amount of \$34,999.99, for drainage improvements at the Summit Recreation Center.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this construction contract will provide for much needed drainage improvements on the north side of the Summit Recreation Center, located at 620 Fryers Creek Drive. See attached aerial drawing. The drainage improvements involve upsizing the storm drainage system to prevent water penetration issues into the facility.

As shown on the attached letter of recommendation and bid tabulation prepared by Clark & Fuller, on March 23, 2017, five bids were received for this project with bids ranging from \$34,999.99 to \$68,490. Staff and Clark & Fuller are recommending award of the construction contract to Holy Contractors, LLC, the low bidder, in the amount of \$34,999.99. Both Clark & Fuller and the City have had positive experiences working with Holy Contractors on previous projects.

The construction of this project will be completed by May 26, 2017.

FISCAL IMPACT: A budget adjustment is being presented to Council to appropriate the additional funding needed for the construction contract with Holy Contractors in the amount of \$34,999.99. Funding is appropriated in account 361-3250-551-6978, project #101623, as follows:

Project Budget	\$	34,198
Encumbered/Committed to Date	\$	(183)
Budget Adjustment	\$	1,835
Holy Contractors, LLC	\$	(35,000)
Remaining Funds Available	\$	850

ATTACHMENTS:

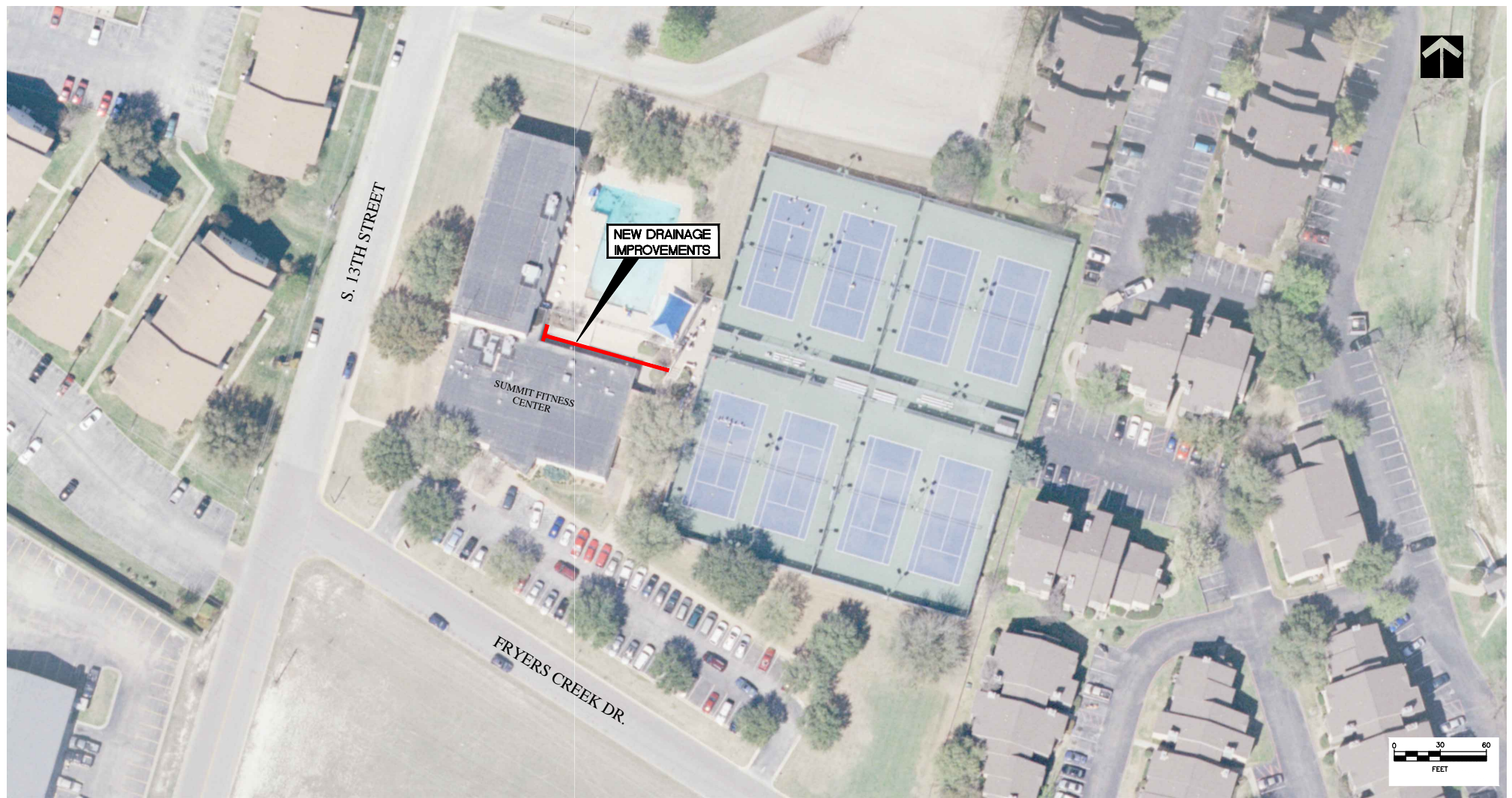
Aerial Drawing

Clark & Fuller Letter of Recommendation

Bid Tabulation

Budget Adjustment

Resolution





215 North Main Street
Temple, Texas 76501
(254) 899-0899
Fax (254) 899-0901
www.clark-fuller.com
Firm Registration No: F-10384

March 23, 2017

City of Temple Purchasing
Belinda Mattke
3210 East Avenue H, Building C
Temple, Texas 76501

Re: City of Temple - Summit Fitness Center Phase II-Drainage Improvements

Dear Mrs. Mattke,

On March 23rd, we received five (5) bids for the City of Temple - Summit Fitness Center Phase II-Drainage Improvements. We have reviewed each bid for accuracy and completeness. Holy Contractors submitted a Base Bid totaling \$34,999.99, making them the apparent low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The engineers project estimate, for the Phase II Drainage Improvements, was \$34,198.00.

We are recommending that you award the contract to Holy Contractors. We believe, through personal experience, that Holy Contractors is qualified and is capable of providing the City of Temple - Summit Fitness Center Phase II-Drainage Improvements and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC



Bid Tabulation Sheet
Summit Fitness Center Phase II-Drainage Improvments
Bid Date: March 23, 2017



No.	Item Description			Wilson Construction Services		Holy Contractors		Bell Contractors		TCB Construction Inc.		Walenta's Construction, LLC	
		Est. Quan.	UOM	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	Site R.O.W. Preparation & Clearing	100%	LS	\$ 2,350.00	\$ 2,350.00	\$ 5,275.00	\$ 5,275.00	\$ 9,200.00	\$ 9,200.00	\$ 4,000.00	\$ 4,000.00	\$ 7,500.00	\$ 7,500.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 3,000.00	\$ 3,000.00	\$ 1,600.00	\$ 1,600.00	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00	\$ 4,000.00	\$ 9,000.00	\$ 9,000.00
3	New 12" HDPE Storm Sewer	110	LF	\$ 80.00	\$ 8,800.00	\$ 41.00	\$ 4,510.00	\$ 110.00	\$ 12,100.00	\$ 105.00	\$ 11,550.00	\$ 70.00	\$ 7,700.00
4	New 8" HDPE Storm Sewer	10	LF	\$ 75.00	\$ 750.00	\$ 10.00	\$ 100.00	\$ 48.70	\$ 487.00	\$ 105.00	\$ 1,050.00	\$ 50.00	\$ 500.00
5	New 12" x 8" HDPE Tee	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 210.00	\$ 210.00	\$ 600.00	\$ 600.00	\$ 300.00	\$ 300.00	\$ 800.00	\$ 800.00
6	New 15" Circular Drain Basin with Heavy Duty Galvanized Pedestrian Grate	5	EA	\$ 700.00	\$ 3,500.00	\$ 1,600.00	\$ 8,000.00	\$ 2,000.00	\$ 10,000.00	\$ 300.00	\$ 1,500.00	\$ 1,000.00	\$ 5,000.00
7	New Trench Drain with Heavy Duty Ductile Iron Slotted Longitudinal Drain	30.5	LF	\$ 160.00	\$ 4,880.00	\$ 210.00	\$ 6,405.00	\$ 150.00	\$ 4,575.00	\$ 250.92	\$ 7,653.06	\$ 180.00	\$ 5,490.00
8	Cored Connection to Existing Retaining Wall	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00	\$ 1,200.00	\$ 1,200.00	\$ 3,500.00	\$ 3,500.00
9	Connection to Existing Roof Drain Downspout	3	EA	\$ 500.00	\$ 1,500.00	\$ 333.33	\$ 999.99	\$ 1,200.00	\$ 3,600.00	\$ 350.00	\$ 1,050.00	\$ 1,000.00	\$ 3,000.00
10	Saw Cut, Remove, and Replace Existing Concrete Flatwork	50	SY	\$ 180.00	\$ 9,000.00	\$ 90.00	\$ 4,500.00	\$ 88.00	\$ 4,400.00	\$ 180.00	\$ 9,000.00	\$ 380.00	\$ 19,000.00
11	Remove, Adjust, and Relocate Existing Pool Feed Return Lines	100.00%	LS	\$ 2,000.00	\$ 2,000.00	\$ 2,400.00	\$ 2,400.00	\$ 11,300.00	\$ 11,300.00	\$ 500.00	\$ 500.00	\$ 7,000.00	\$ 7,000.00
Total Base Bid				\$ 37,780.00		\$ 34,999.99		\$ 62,262.00		\$ 41,803.06		\$ 68,490.00	

FY 2017

BUDGET ADJUSTMENT FORM

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

			+			-
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
361-3250-551-69-78	101623	Capital- Bonds / Summit Fitness	\$ 1,835			
361-1600-512-69-79	101624	Capital- Bonds / Legal			1,835	
TOTAL.....			\$ 1,835		\$ 1,835	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To appropriate additional funding for drainage improvements for Summit Fitness Center in an estimated amount of \$1,835 from the remodel to Legal's office suites.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

4/6/2017

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date _____

☐ Approved

	Disapproved
--	-------------

Finance

Date _____

☐ Approved

	Disapproved
--	-------------

City Manager

Date _____

☐ Approved

	Disapproved
--	-------------

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH HOLY CONTRACTORS, LLC OF HEWITT, TEXAS IN THE AMOUNT OF \$34,999.99, FOR DRAINAGE IMPROVEMENTS AT THE SUMMIT RECREATION CENTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Summit Recreation Center is in need of drainage improvements on the north side of the building that involves the upsizing of the storm drainage system to prevent water penetration issues into the facility located at 620 Fryers Creek Drive;

Whereas, on March 23, 2017, five bids were received for this project with the low bidder being Holy Contractors, LLC of Hewitt, Texas in the amount of \$34,999.99 – Staff and Clark & Fuller have had positive experiences working with Holy Contractors on previous projects;

Whereas, Staff recommends Council authorize a construction contract with Holy Contractors, LLC of Hewitt, Texas in the amount of \$34,999.99, for drainage improvements at the Summit Recreation Center;

Whereas, funding for this construction contract is available, but an amendment to the fiscal year 2017 budget needs to be approved to transfer these funds in to Account No. 361-3250-551-6978, Project No. 101623; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a construction contract with Holy Construction, LLC of Hewitt, Texas in the amount of \$34,999.99, for drainage improvements at the Summit Recreation Center.

Part 3: The City Council authorizes an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

Part 4: It is hereby officially found and determined that the meeting at which this Resolution 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 this the **6th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(J)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City Manager to enter into a contract between the City of Temple and the Department of the Army, Corps of Engineers to reimburse the City for salary and benefit expenses and vehicle cost related to police patrols at Temple Lake Park from May 6, 2017 through September 4, 2017.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple and the US Army Corps of Engineers have identified a need for increased law enforcement services for Temple Lake Park on Lake Belton during the late spring and summer months. This contract will provide for the city to be reimbursed for up to 508 hours of additional police patrols within the park and vehicle cost. We have provided this service for the last four years that resulted in positive outcomes for both the City of Temple and the Corps of Engineers.

TERM OF AGREEMENT: This contract shall commence on May 6, 2017 and end on September 4, 2017.

FISCAL IMPACT: Per the contract, the Department of the Army, Corps of Engineers will reimburse approximately \$28,880 in police officer salaries and benefits, and \$10,160 in vehicle costs based on 508 hours of additional police patrols at Temple Lake Park.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, TO REIMBURSE THE CITY FOR SALARY, BENEFIT EXPENSES, AND VEHICLE COSTS RELATED TO POLICE PATROLS AT TEMPLE LAKE PARK FROM MAY 6, 2017 THROUGH SEPTEMBER 4, 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple and the Department of the Army, Corps of Engineers have identified the need for increased law enforcement services at Temple Lake Park on Lake Belton during the late spring and summer months;

Whereas, Temple Police have provided this service for the past 4 years and it has resulted in positive outcomes for both the City of Temple and the Corps of Engineers – the new contract will begin on May 6, 2017 and end on September 4, 2017;

Whereas, the Army Corps of Engineers will reimburse the City for up to 508 hours of additional police patrols within Temple Lake Park as well as vehicle costs;

Whereas, Staff recommends Council authorize a contract with the Department of the Army, Corps of Engineers, to reimburse the City for salary and benefit expenses, and vehicle costs related to patrols at Temple Lake Park from May 6, 2017 through September 4, 2017;

Whereas, per the contract with the Department of the Army, the Corps of Engineers will reimburse approximately \$28,880 in police officer salaries and benefits, and \$10,160 in vehicle costs based on 508 hours of additional police patrols at Temple Lake Park; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to enter into a contract with the Department of the Army, Corps of Engineers for reimbursement to the City for salary, benefit expenses and vehicle costs related to police patrols at Temple Lake Park from May 6, 2017 through September 4, 2017.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the **6th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Brian Chandler, Planning Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a First Amendment to the Development Agreement between the City of Temple and John Earl Fielding to allow a subdivision of property without requiring voluntary annexation.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2007, the City entered into a “Development Agreement” (“Agreement”) with John Earl Fielding, the owner of property located on Cedar Creek Road and designated by the Bell County Appraisal District as property number 35358. At the time of the Agreement, the City had initiated annexation proceedings on all or a portion of Mr. Fielding’s property. Pursuant to Texas Local Government Code Sections 43.035 and 212.172, Mr. Fielding decided to enter into the Agreement with the City to have his property remain in the extraterritorial jurisdiction (“ETJ”). The property will remain in the ETJ for a period of 12 years from the date of the Agreement, unless the property owner files a subdivision plat or takes any action to subdivide the property that would require a plat to be filed. If such actions are taken, the plat would serve as a voluntary petition for annexation.

Mr. Fielding’s property is approximately 69 acres. Mr. Fielding is interested in selling a 75-foot strip of land on the east side of his property to a neighboring property owner to be used for access. This subdivision would require a plat to be filed with the City and would trigger annexation of the 75-foot strip pursuant to the Agreement. However, Mr. Fielding has requested that the City consider entering into a First Amendment to the Agreement to waive the annexation requirement at this time.

If the First Amendment is approved, Mr. Fielding would still be required to plat the property, but voluntary annexation would not be triggered. However, any future subdivisions of the property would require voluntary annexation.

Staff has discussed the requested First Amendment and is comfortable moving forward with the subdivision of the property without triggering voluntary annexation.

FISCAL IMPACT: The property covered by the Agreement is located in the ETJ and is not subject to City taxation. If the First Amendment is authorized and executed, the property will remain in the ETJ.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING A FIRST AMENDMENT TO THE DEVELOPMENT
AGREEMENT WITH JOHN EARL FIELDING TO ALLOW A SUBDIVISION OF
PROPERTY WITHOUT REQUIRING VOLUNTARY ANNEXATION; AND
PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2007, the City entered into a Development Agreement (“Agreement”) with John Earl Fielding, the owner of property located on Cedar Creek Road and designated by the Bell County Appraisal District as Property No. 35358;

Whereas, at the time of the Agreement, the City had initiated annexation proceedings on all or a portion of Mr. Fielding’s property and pursuant to Texas Local Government Code Sections 43.035 and 212.172, Mr. Fielding decided to enter into the Agreement with the City to have his property remain in the extraterritorial jurisdiction (“ETJ”);

Whereas, the property will remain in the ETJ for a period of 12 years from the date of the Agreement, unless the property owner files a subdivision plat or takes any action to subdivide the property that would require a plat to be filed - if such actions are taken, the plat would serve as a voluntary petition for annexation;

Whereas, Mr. Fielding’s property is approximately 69 acres and he is interested in selling a 75-foot strip of land on the east side of his property to a neighboring property owner to be used for access – this subdivision would require a plat to be filed with the City and would trigger annexation of the 75-foot strip pursuant to the Agreement;

Whereas, Mr. Fielding has requested that the City instead consider entering into a First Amendment to the Agreement to waive the annexation requirement at this time;

Whereas, upon approval, Mr. Fielding will be required to plat the property, but voluntary annexation would not be triggered; however, any future subdivisions of the property would require voluntary annexation;

Whereas, Staff has discussed the requested First Amendment and is comfortable moving forward with the subdivision of the property without triggering voluntary annexation;

Whereas, the property covered by the Agreement is located in the ETJ and is not subject to City taxation and if the First Amendment is authorized and executed, the property will remain in the ETJ; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a First Amendment to the Development Agreement with John Earl Fielding to allow a subdivision of property without requiring voluntary annexation.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of April, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Chief Mitch Randles, Fire Chief
Charla Thomas, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Mutual Aid Agreement between the Fort Hood Fire Department and the City for mutual aid by the respective fire departments at various locations.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This Mutual Aid Agreement will allow Temple Fire Department to provide and receive mutual aid fire services with Fort Hood Fire Department throughout the City of Temple, and Fort Hood Military complex for fire protection and prevention services, including, but not limited to, emergency services, including basic and advanced life support, hazardous materials containment and confinement, special rescue events, and specialized rescue incidents as deemed necessary by the respective Fire Chiefs. City firefighters will perform fire services and respond with appropriate/designated fire equipment and will receive reciprocal mutual aid. Each party shall bear their own costs in the fulfillment of this agreement, to include personnel, equipment, insurance and liability.

The Mutual Aid Agreement will be effective until terminated by either party in writing but may be reviewed and amended from time to time as needed.

FISCAL IMPACT: Each party identified in the Mutual Aid Agreement will be responsible for their own costs associated with fulfillment of the agreement.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE FORT HOOD
FIRE DEPARTMENT AND THE TEMPLE FIRE DEPARTMENT FOR MUTUAL
AID BY RESPECTIVE FIRE DEPARTMENTS AT VARIOUS LOCATIONS; AND
PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, an Interlocal Agreement between the Fort Hood Fire Department and the Temple Fire Department will allow the Temple Fire Department to provide and receive mutual aid emergency services with Fort Hood Fire Department throughout the City of Temple, and Fort Hood Military Installation for emergency incidents as deemed necessary by the respective Fire Chiefs;

Whereas, City of Temple firefighters will perform fire services and respond with appropriate/designated fire equipment and will receive reciprocal mutual aid from Fort Hood Fire Department - all parties shall bear their own costs in the fulfillment of this agreement, to include personnel, equipment, insurance and liability;

Whereas, this Agreement will be effective until terminated in writing by either party, but will be reviewed annually and amended from time to time as needed; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to enter into an Interlocal Agreement between the Fort Hood Fire Department and the Temple Fire Department for mutual aid by respective fire departments at various locations.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing an interlocal agreement with the Texas Department of State Health Services for the provision of on-line computer services including access to Texas Electronic Registration Remote System for vital records through August 31, 2019.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: For several years, the City Secretary's Office has been utilizing certain online services provided by the Texas Department of State Health Services ("DSHS"). DSHS provides vital records information, including access to birth certificates for births outside of the City. The current agreement between the City and DSHS regarding these services was signed in September, 2015, and will expire in August, 2017.

In March 2015, the City Council adopted an amendment to the DSHS agreement that added a "Data Use Agreement" through which the City must agree to follow certain procedures when handling confidential information obtained through DSHS.

FISCAL IMPACT: Funding is available as allocated in the FY2017 Operating Budget in the amount of \$8,000 in account 110-1400-511-2623.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR ONLINE COMPUTER SERVICES, INCLUDING ACCESS TO TEXAS ELECTRONIC REGISTRATION REMOTE SYSTEM FOR VITAL RECORDS THROUGH AUGUST 31, 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, for several years, the City Secretary's Office has been utilizing online services provided by the Texas Department of State Health Services ("DSHS") which provides vital records information, including access to birth certificates for births outside of the City;

Whereas, the City Council adopted an amendment to the DSHS agreement that added a "Data Use Agreement" through which the City must agree to follow certain procedures when handling confidential information obtained through DSHS;

Whereas, Staff recommends Council authorize an Interlocal Agreement with the Texas Department of State Health Services for the provision of online computer services including access to Texas Registration Remote System for vital records through August 31, 2017, in the amount of \$8,000;

Whereas, funding for this agreement is available in the fiscal year 2017 Operating Budget in Account No. 110-1400-511-2623 for; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute an Interlocal Agreement with the Texas Department of State Health Services for online computer services including access to Texas Registration Remote System for vital records through August 31, 2017, in the amount of \$8,000.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



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DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing
Kirk Scopac, Fleet Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the rejection of all bids received on February 24, 2017, for a 1-ton crew cab and chassis, dual rear wheels with utility body truck.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On February 24, 2017, three vendors submitted bids on a 1-ton diesel crew cab and chassis, dual rear wheels with utility body truck. The bids are shown on the attached bid tabulation sheet.

Staff recommends Council reject the three bids received for the truck. It was discovered after the bids were opened that all bids were over budget, with the exception of one vendor which specified the wrong vehicle.

Staff is researching the option of purchasing this vehicle through a cooperative contract. Staff anticipates coming back to Council at a later date with a recommendation for award of the truck's purchase.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Bid Tabulation](#)
[Resolution](#)

Bid "F" Tabulation

**Tabulation of Bids Received
on February 24, 2017 at 2:00 p.m.
One (1) 1-Ton Crew Cab and Chassis, Dual Rear Wheels with Utility Body
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	No Bid	No Bid	No Bid	No Bid	\$41,923.00	\$41,923.00
Light Bar		No Bid		No Bid		\$2,295.00	
Factory CNG/Propane Gaseous Engine Prep Package		No Bid		No Bid		\$299.00	
CNG or Propane Bi-fuel conversion, complete install with fueling moduel and tanks (min 19 gal cap)		No Bid		No Bid		\$12,900.00	
Full length entry step on each side		No Bid		No Bid		\$280.00	
Bid Price + Aftermarket Add Alternate Options:		No Bid		No Bid		\$57,697.00	
Delivery within 180 days?		No Bid		No Bid		Yes	
Exceptions?		No Bid		No Bid		None	
Local Preference?		No Bid		No Bid		No	
Credit Check Authorization		No Bid		No Bid		Yes	

2017 Ford F350 Chassis Cab

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	1	\$42,521.12	\$42,521.12	\$36,597.00	\$36,597.00		
Light Bar		\$1,493.95		\$1,950.00			
Factory CNG/Propane Gaseous Engine Prep Package		\$289.00		Not Availiable			
CNG or Propane Bi-fuel conversion, complete install with fueling moduel and tanks (min 19 gal cap)		\$10,900.00		Not Availiable			
Full length entry steps on both sides		\$208.00		\$260.00			
Bid Price + Aftermarket Add Alternate Options:		\$55,412.07		\$38,807.00			
Delivery within 180 days?		Yes		Yes			
Exceptions?		None		Yes			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			

Ford F350 Crew

2017 RAM 3500 Crew Cab 4X2

Recommend Rejection of all Bids; All bids received are over budget.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REJECTING ALL BIDS RECEIVED ON FEBRUARY 24, 2017 FOR A 1-TON CREW CAB AND CHASSIS, DUAL REAR WHEELS WITH UTILITY BODY TRUCK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 24, 2017, the City received three bids for a 1-ton diesel crew cab and chassis, dual rear wheels with utility body truck;

Whereas, immediately after bids were opened, Staff realized all bids were over budget with the exception of one vendor which specified the wrong vehicle;

Whereas, per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids;

Whereas, Staff recommends Council reject the bids received on February 24, 2017 for a 1-ton crew cab and chassis, dual rear wheels with utility body truck – the rejection of these bids will allow Staff time to research the option of purchasing this vehicle through a cooperative contract; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council rejects the bids received on February 24, 2017 for a 1-ton crew cab and chassis, dual rear wheels with utility body truck.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution suspending the April 21, 2017 effective date of Oncor Electric Delivery Company's requested rate change and approving cooperation with the Steering Committee of Cities Served by Oncor to hire legal and consulting services and to negotiate with Oncor and direct any necessary litigation and appeals.

STAFF RECOMMENDATION: Adopt resolution presented in item description.

ITEM SUMMARY: Oncor Electric Delivery Company ("Oncor" or "the Company") filed an application on or about March 17, 2017 with cities retaining original jurisdiction (which includes the City of Temple) seeking to increase system-wide transmission and distribution rates by \$317 million or approximately 7.5% over present revenues. The Company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates. If approved, a residential customer using 1000 kWh per month would see a bill increase of about \$6.68 per month.

This proposed resolution would suspend the April 21, 2017 effective date of the Company's rate increase for the maximum period permitted by law to allow the City, working in conjunction with the Steering Committee of Cities Served by Oncor, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, Oncor's rate request is deemed administratively approved.

The City of City is a member of a 156-city coalition known as the Steering Committee of Cities Served by Oncor ("Steering Committee"). The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by the former TXU gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by *per capita* assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for the last 30 years.

Although Oncor has increased rates many times over the past few years, this is the first comprehensive base rate case for the Company since January, 2011.

FISCAL IMPACT: The City receives a franchise fee from Oncor quarterly. Per the current franchise agreement with Oncor Electric Delivery, the amount of the franchise fee is based on the total kWh delivered to retail customers within the City limits at a factor rate of .002652. Changes in the rate do not impact the amount of the franchise fee paid by Oncor to the City.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SUSPENDING THE APRIL 21, 2017 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES; TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

Whereas, on or about March 17, 2017, Oncor Electric Delivery Company ("Oncor"), pursuant to PURA §§ 33.001 and 36.001 filed with the City of Temple, a Statement of Intent to increase electric transmission and distribution rates in all municipalities exercising original jurisdiction within its service area effective April 21, 2017; and

Whereas, the City of Temple is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee") and will cooperate with the 156 similarly situated city members and other city participants in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company prior to getting reasonable rates and direct any necessary litigation; and

Whereas, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety days after the date the rate change would otherwise be effective;

Whereas, the City receives a franchise fee from Oncor quarterly and per the current franchise agreement with Oncor Electric Delivery, the amount of the franchise fee is based on the total kWh delivered to retail customers within the City limits at a factor rate of .002652 - changes in the rate do not impact the amount of the franchise fee paid by Oncor to the City;

Whereas, PURA § 33.023 provides that costs incurred by Cities in ratemaking proceedings are to be reimbursed by the regulated utility; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council hereby suspends the April 21, 2017 effective date of the rate request submitted by Oncor on or about March 17, 2017, for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

Part 3: As indicated in the City's resolution approving membership in the Steering Committee, the Executive Committee of the Steering Committee is authorized to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations regarding reasonable rates, and to intervene and direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Public Utility Commission.

Part 4: That the City's reasonable rate case expenses shall be reimbursed by Oncor.

Part 5: That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Part 6: A copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, Public Works Director
Lisa Sebek, Solid Waste Services Director

ITEM DESCRIPTION: Consider adopting a resolution setting associated fees and rebates for recycling processing and authorizing the City Manager to amend the fees and rebates as needed to support operation of the recycling program.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

BACKGROUND: On April 1st, 2017, the City of Temple transitioned recycling processing services to City operations, which includes transfer of single stream curbside recycling materials along with brokerage sale of individual marketable commodities.

The City of Temple facility will process all residential single stream curbside material (RSS) in order to continue the recycling services currently provided to City of Temple residents. The facility will also accept RSS and mixed plastics from other entities and will charge a processing fee based on the net costs associated with the processing and transferring of these materials. Under the services agreement authorized at the March 16, 2017 Council Meeting, these materials will be transferred to Balcones Resources for further processing and marketing.

Commercial businesses in the area can deliver, or have the City pickup, sorted and clean individual marketable commodities to the facility. These commodities include, but are not limited to, old corrugated cardboard (OCC), sorted office paper (SOP), old newspaper (ONP), and mixed paper (MXP). Under the services agreement authorized at the March 16, 2017 Council Meeting, Balcones Resources will act as a broker to assist with the sale of these commodities in an effort to offset the cost of operating the facility. The City will offer a monthly rebate to customers based on both volume delivered and the monthly published market index price per ton (Pulp&Paper Week), as shown below:

Monthly Market Index

Commodity	\$/TN - February 2016
OCC	\$80
SOP	\$120
ONP	\$55
MXP	\$50

Customer Rebate Schedule

TN/Month Delivered	% index
<1	0%
<2	35%
<12	45%
>12	55%

The City reserves the right for recycling personnel to reject any load they deem mixed or contaminated.

Staff will provide the City Council with an annual updated fee and rebate schedule each September with a summary of changes adopted during the previous year.

FISCAL IMPACT: Based on historical data provided by Balcones, commercial customers account for 2,100 tons of marketable commodities received annually at the recycling facility. Provided the City maintains these current customer volumes and market rates remain steady, the City would receive \$200,000 annually from the sale of commodities. This estimate is subject to the volatility of both these variables.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SETTING RATES, ASSOCIATED FEES AND REBATES FOR RECYCLING PROCESSING; AUTHORIZING THE CITY MANAGER TO AMEND THE FEES AND REBATES AS NEEDED TO SUPPORT OPERATIONS OF THE RECYCLING PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on April 1, 2017, the City of Temple transitioned recycling processing services to City operations, which includes the transfer of single stream curbside recycling materials along with brokerage sales of individual marketable commodities;

Whereas, the facility will process all residential single stream curbside material (RSS) in order to continue the recycling services currently provided to City of Temple residents;

Whereas, the facility will accept RSS and mixed plastics from other entities and will charge a processing fee based on the net costs associated with the processing and transferring of these materials;

Whereas, under the services agreement authorized by Council on March 16, 2017, these materials will be transferred to Balcones Resources for further processing and marketing and Balcones Resources will act as a broker to assist with the sale of these commodities in an effort to offset the cost of operating the facility;

Whereas, commercial businesses in the area can deliver, or have the City pickup, sort and clean individual marketable commodities to the facility - these commodities include, but are not limited to, old corrugated cardboard (OCC), sorted office paper (SOP), old newspaper (ONP), and mixed paper (MXP);

Whereas, the City will offer a monthly rebate to customers based on both volume delivered and the monthly published market index price per ton, as shown below:

Monthly Market Index		Customer Rebate Schedule	
Commodity	\$/TN - February 2016	TN/Month Delivered	% index
OCC	\$80	<1	0%
SOP	\$120	<2	35%
ONP	\$55	<12	45%
MXP	\$50	>12	55%

Whereas, the City reserves the right for recycling personnel to reject any load they deem mixed or contaminated;

Whereas, based on historical data provided by Balcones, commercial customers account for 2,100 tons of marketable commodities received annually at the recycling facility - provided the City maintains these current customer volumes and market rates remain steady, the City would receive \$200,000 annually from the sale of commodities, subject to the volatility of both these variables; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager to amend the fees and rebates as needed to support operations of the recycling program.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(Q)
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Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Mayor Daniel A. Dunn

ITEM DESCRIPTION: Consider adopting a resolution appointing Brynn Myers as the interim City Manager and setting compensation for the position.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On February 28, 2017, Jonathan Graham submitted his letter of intent to retire as the City Manager of Temple effective close of business on Friday, June 23, 2017. The proposed resolution would appoint Brynn Myers, Assistant City Manager, to serve as the Acting City Manager for a period of time beginning Friday, April 14, 2017 through June 23, 2017. As of June 24, 2017, Mrs. Myers will serve as the Interim City Manager.

The proposed resolution appoints Mrs. Myers as both the acting and interim City Manager and sets her compensation at \$185,000 annually. The appointment of Mrs. Myers will be effective Friday, April 14, 2017.

FISCAL IMPACT: Funding for the compensation is available in the FY 2017 Operating Budget.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPOINTING BRYNN MYERS AS INTERIM CITY MANAGER, SETTING HER COMPENSATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 28, 2017, Jonathan Graham submitted his letter of intent to retire as City Manager of the City of Temple effective close of business Friday, June 23, 2017;

Whereas, the appointment of Brynn Myers, Assistant City Manager, to serve as the Acting City Manager will be for a period of time beginning Friday, April 14, 2017 through June 23, 2017 and as of June 24, 2017, Mrs. Myers will then serve as Interim City Manager;

Whereas, Council confirms the appointment of Mrs. Myers as both the acting and interim City Manager and sets her compensation at \$185,000 annually;

Whereas, funding for this appointment is available in the fiscal year 2017 Operating Budget; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council confirms the appointment of Brynn Myers as Interim City Manager and sets her compensation at \$185,000.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of April, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #5(R)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2016-2017 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$24,550.

ATTACHMENTS:

[Budget Amendments](#)
[Resolution](#)

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2017 BUDGET
April 6, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-1800-525-2221		Capital < \$5,000 / Computer Equipment	\$ 3,760	
110-0000-452-0455		Administrative Fees / Technology Fee		\$ 3,760
To appropriate Court Technology Fees for the replacement of three Quick Scan Scanners, two wireless keyboard-mouse combos, and one Surface Pro 3.				
260-2300-540-2649		Contracted Services / Landfill Tipping Fees	\$ 9,425	
260-0000-431-0261		State Grants / State Grants		\$ 9,425
To appropriate grant proceeds made available to the Central Texas Council of Governments (CTCOG) from the Texas Commission on Environmental Quality (grant # 582-16-60648). On August 6, 2015, Council adopted a resolution authorizing the City to apply for the grant through an interlocal agreement with CTCOG to perform a household hazardous waste collection event in Temple. The event was held on October 8, 2016.				
110-2057-521-2121		Supplies / Firearms/Munitions	\$ 10,365	
110-0000-442-0720		Police Revenue / Police Revenue		\$ 10,365
To appropriate a credit received from GT Distributors, Inc. for the trade in of retired firearms and ammunition. The credit will be used for the future purchase of replacement firearms.				
110-4000-555-2225		Capital < \$5,000 / Books & Periodicals	\$ 1,000	
110-0000-461-0841		Other / Donations/Gifts		\$ 1,000
To appropriate a donation received from the Tocker Foundation for the purchase of books for early childhood and adult literacy.				
TOTAL AMENDMENTS			\$ 24,550	\$ 24,550
GENERAL FUND				
Beginning Contingency Balance			\$	-
Added to Contingency Sweep Account				-
Carry forward from Prior Year				-
Taken From Contingency				-
Net Balance of Contingency Account			\$	-
Beginning Judgments & Damages Contingency			\$	5,257
Added to Contingency Judgments & Damages from Council Contingency				-
Taken From Judgments & Damages				-
Net Balance of Judgments & Damages Contingency Account			\$	5,257
Beginning Compensation Contingency			\$	560,000
Added to Compensation Contingency				-
Taken From Compensation Contingency				-
Net Balance of Compensation Contingency Account			\$	560,000
Net Balance Council Contingency			\$	565,257
Beginning Balance Budget Sweep Contingency			\$	-
Added to Budget Sweep Contingency				-
Taken From Budget Sweep				-
Net Balance of Budget Sweep Contingency Account			\$	-

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2017 BUDGET
April 6, 2017

		APPROPRIATIONS		
ACCOUNT #	PROJECT #	DESCRIPTION	Debit	Credit
WATER & SEWER FUND				
		Beginning Contingency Balance	\$	50,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(41,558)
		Net Balance of Contingency Account	\$	8,442
		Beginning Compensation Contingency	\$	112,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	112,500
		Net Balance Water & Sewer Fund Contingency	\$	120,942
HOTEL/MOTEL TAX FUND				
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	28,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	28,300
		Net Balance Hotel/Motel Tax Fund Contingency	\$	28,300
DRAINAGE FUND				
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	24,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	24,300
		Net Balance Drainage Fund Contingency	\$	24,300
FED/STATE GRANT FUND				
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year		14,947
		Added to Contingency Sweep Account		22,397
		Taken From Contingency		-
		Net Balance Fed/State Grant Fund Contingency	\$	37,344

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2016-2017 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 26th day of August, 2016, the City Council approved a budget for the 2016-2017 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2016-2017 City Budget.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council approves amending the 2016-2017 City Budget by adopting the budget amendments which are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17

Item #6

Regular Agenda

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DEPARTMENT / DIVISION SUBMISSION & REVIEW:

Dessie Redmond, Planner

ITEM DESCRIPTION: SECOND READING - PUBLIC HEARING - Z-FY-17-03: Consider adopting an ordinance authorizing a rezoning from the Neighborhood Services zoning district to the Planned Development-Neighborhood Services zoning district and site/development plan on 3.5718 +/- acres, proposed for a nonresidential subdivision for a mini-storage facility, which is a reduced scope from the original 7.35 +/- acres request, situated on a portion of 1-lot, 1-block, RVOS addition, located at 5785 South 31st Street, Temple, Texas.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their February 6, 2017 meeting, the Planning & Zoning Commission voted two to six to deny a motion for approval of the proposed rezoning. Therefore, the motion to approve failed.

A super-majority vote is required by Council for approval of the proposal. This requirement is triggered by a Protest per Unified Development Code (UDC), Section 3.3.4 which states "A Zoning District Map Amendment application requires a three-fourths vote of the City Council in order to be approved if a written protest has been signed and submitted by the owners of a minimum of 20 percent." Approximately 48 percent of the area of the properties within 200 feet of the subject properties are in opposition to the proposal.

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

1. That the proposed Development Plan/Site Plan has demonstrated compliance with the provisions of the Planned Development Criteria as required by Unified Development Code (UDC) Section 3.4.5;
2. That the request complies with UDC, Section 5.3.8 that states for a mini-storage facility the size of each individual storage unit is limited to a maximum of 2,000 cubic feet;
3. (No longer applicable);The request is in compliance with the Future Land Use Map (FLUM) Auto-Urban Commercial character district designation;
4. The proposed zoning is compatible with surrounding zoning and anticipated retail and service uses along this section of South 31st Street;
5. The request complies with the Thoroughfare Plan and Trails Master Plan; and
6. Public facilities are available to serve the subject property.

The following recommendations are proposed for the 3.5718 +/- acre portion of Lot 1, Block 1, RVOS Addition. Staff recommends approval of the request, subject to the following conditions:

1. Substantial compliance with the amended Development/Site Plan;
2. Substantial compliance with the amended Landscape Plans and Elevations;
3. That the remaining portion of the 3.7776 acres of the subject property will remain as is in the Neighborhood Services zoning district. ;
4. Each individual storage unit is limited to a maximum of 2,000 cubic feet;
5. A six foot wide sidewalk is required to be built along South 31st Street prior to the opening of the business;
6. Outward-facing building facades (as shown in attachment: Outward-Facing Building Facades Graphic) related to the mini-storage buildings shall have exteriors containing a combination of EIFS, split-faced CMUs, brick and accent metal panels as shown in the Elevations submittal;
7. (No longer applicable) (No longer applicable) A continuous 20 foot wide landscape buffer is required along the Georgetown Railroad that should consist of the preservation of existing trees.
8. All landscaping required by the UDC shall meet or exceed UDC, Section 7.4 Landscaping;
9. Any fencing along South 31st Street shall be decorative metal;
10. This PD runs with the land and is not affected by future change of ownership;
11. The maximum building wall height is 21 feet (top of wall and per submitted elevations);
12. The applicant shall comply with all Texas Department of Transportation (TxDOT) requirements; and
13. All lighting associated with the proposal shall be shielded to prevent light trespass.

ITEM SUMMARY: The applicant, Joshua Valenta with Matkin-Hoover Engineering, Donald Jones with Donald Jones Consulting and Wes Jackson of RVOS Farm Mutual Insurance (property owner), requests a rezoning from the NS zoning district to the PD-NS zoning district for a mini storage facility. The subject property is 3.5718 +/- acres and undeveloped (attachments: Site and Surrounding Photos) and currently in the NS zoning district. There are residential and non-residential uses that are permitted by right in the NS zoning district. A summary table of the uses permitted, but not limited to, is in the attachments (Summary of Uses Permitted in the NS Zoning District).

March 2, 2017 Council Meeting

At the March 2, 2017 City Council meeting, Council voted unanimously to table the proposed rezoning request to the April 6, 2017 meeting. The applicant had originally requested a rezoning for the entire 7.35 +/- acres of the subject property. The applicant has since reduced his request and is now requesting a rezoning for 3.5718 +/- acres, a portion of Lot 1, Block 1. The remaining portion of Lot 1, Block 1 will remain in the NS zoning district. The scope of the project was reduced based on feedback from the surrounding property owners.

Project History

February 6, 2017 Planning & Zoning Commission Meeting

During the meeting the Planning & Zoning (P&Z) Commissioners deliberated on my topics including drainage, site characteristics, future development in the area, history of the site and the abutting Georgetown Railroad. The applicant explained the project and the process his team has taken with the project. During the public hearing, many citizens expressed opposition to the project. A motion for approval, per staff recommendation, was made. However, the motion failed with a 2:6 vote (attached DRAFT February 6, 2017 P&Z Excerpt).

February 2, 2017

Based on feedback from staff and the surrounding property owners, the applicant submitted revised documents including a site plan, elevations and landscape plans (see attachments). The applicant also submitted a rendering of the project (attachments: Temple Storage Rendering).

January 18, 2017 Public Meeting

On January 18, 2017 staff facilitated a public meeting between the applicant and property owners. At this meeting, approximately 12 people signed the attendance sheet (attachments: Public Meeting – January 18, 2017 Sign-In Sheet). The applicant presented revised plans and a Preliminary drainage study (this study is available for review in the Planning Department).

December 6, 2016 Planning & Zoning Commission Meeting

Z-FY-017-03 was heard at the December 6, 2016 Planning & Zoning (P&Z) Commission meeting. During this meeting there was discussion on the site characteristics and how the proposal works with the constraints (easements) on the property. There was also discussion on tree preservation and lighting. A public hearing was opened and several of the property owners around the subject property spoke in opposition of the project (attachments: December 6, 2016 Meeting Minutes). The P&Z Commission made a motion to continue the case until February 6, 2017 and directed Staff to work with the applicant and property owners.

Site Characteristics

There are several easements within the subject property (attachment: Surveyor's Sketch). These easements restrict the site from many uses that are allowed by right or with a conditional use permit in the NS zoning district. Staff believes that the mini-storage facility use is a compatible use with the existing constraints and easements on the site.

Drainage

Many property owners spoke in opposition to the project due to existing drainage problems in the surrounding area. Property owners also voiced concern about how they thought additional development will worsen the drainage issues. In response to these concerns, the applicant completed a preliminary drainage report (due to its large size it is available for review in the Engineering Department and not as an attachment). This was presented at the January 18, 2017 public meeting. On March 13, Mr. Wilson explained that after reviewing the drainage calculations provided by the applicant's engineer, Public Works determined that a culvert can and will be installed under the existing dirt road. Mr. Wilson's stated the culvert will be installed even if the proposed development does not occur. The drainage swale on the north side of the tracks near the road will also be regraded to remove the washout at the tracks (attachment: Richard Wilson email).

Proposal

In the UDC, Section 11.2 defines a mini-storage facility as "a building or group of buildings consisting of individualized shelters of various sizes for rent or lease for the purpose of providing protection of commodities stored in the mini-storage warehouse." UDC, Section 5.3.8 states that for a mini-storage warehouse the size of each individual storage unit is limited to a maximum of 2,000 cubic feet.

This proposal includes a mini-storage facility as defined by the UDC, Section 11.2 and does not include storage units greater than 2000 cubic feet and therefore, is compliant with UDC, Section 5.3.8. The proposal includes a range of units between 25 square feet and 200 square feet in either climate controlled or non-climate controlled capacities. With the revised proposal there will be a total of three buildings with approximately 49,460 square feet. The amount of each size of unit has not yet been determined. The original proposal included a Phase I and a Phase II with a total of approximately 73,085 square feet but the scope of the project has been revised to include only Phase I. There is approximately 3.775 acres remaining within the parcel that is no longer included in this project and will remain in the NS zoning district.

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 as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance. The Development/Site Plan that has been submitted, provides the boundaries and the layout for the proposed building footprints for the mini-storage facility, parking and traffic circulation areas.

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 screening, buffering, landscaping, enhanced exterior building materials and have been discussed and agreed upon with the applicant and are described as follows:

Screening / Buffering: A continuous 20 foot wide landscape buffer along the inactive Georgetown Railroad is proposed (attachment: Revised Development/Site Plan). The City owns an easement along the Georgetown Railroad with future plans of a "rails to trails" amenity to the city's trail system. This landscape buffer is in addition to any UDC, Section 7.7 Screening or Buffering requirements.

Landscaping: UDC, Section 7.4.4 states that a developer is required to provide a minimum landscaped area of five percent of a lot. This proposal includes approximately 29.8 percent of the 3.5718 acres of the site to be landscaped and thus significantly exceeds the percentage required by the UDC. The Landscape Plan also includes 8 frontage trees along with other trees, shrubs, groundcovers and ornamental grass, which also exceed requirements (attachments: Revised Landscape Plans).

Exterior Building Materials: Exterior building materials are proposed which provide close to 100% masonry. Materials consist of a combination of Exterior Insulation Finish Systems (EIFS), which meets the approved listing of standard building materials listed in UDC Sec. 7.8.3F, as well as brick, split-faced concrete masonry units (CMUs) and accent metal paneling. The applicant submitted elevations with varying amounts of masonry accent (attachment: Revised Elevations). In order to maintain a consistent architectural design throughout, a recommended condition of approval is: "All exterior building facades related to the mini-storage buildings shall have exteriors containing a combination of EIFS, split-faced CMUs, brick and accent metal panels as shown in the Elevations submittal."

Texas Department of Transportation

The applicant has been in preliminary discussions with Texas Department of Transportation (TxDOT), which included the existing non-access easement required by TxDOT as shown on the final plat (attachment: RVOS Addition Final Plat). The final plat also shows two possible 50 foot access points along South 31st Street. However, this Development/Site Plan is only utilizing one access to the north. The applicant has stated this curb cut will align with Blue Meadow Drive. Additionally, the applicant is aware that a Driveway Permit Package in coordination with TxDOT is required. A recommended condition of approval includes: "The applicant shall comply with all TxDOT requirements."

Traffic Impact

Within the current Neighborhood Services (NS) zoning district, the following uses and their relative traffic impacts would be allowed:

	Zoning District	ITE Peak Hour Trip Rates (Per 1000 Square Feet)	Trip Comparison (per Square Feet)	Peak Hour Trips
Mini-Storage	PD-NS or C	0.26	49,460 sf	12
Office (general)	NS	1.55	7,742 sf	12
Office (medical or dental)	NS	3.46	3,468 sf	12
Shopping Center	NS	4.89	2,454 sf	12
Convenience Store (no pumps)	NS	67.03	179 sf	12

In summary, the mini-storage project as proposed would produce comparable traffic to an office about 1/7th its size, a medical or dental office about 1/14th its size, a shopping center about 1/20th its size or a convenience store (no pumps) about 1/276th its size.

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

Due to the reduced scope of the project, there are no existing residences that abut the amended proposal. Therefore, a continuous buffer along the north boundary of the project is no longer required.

There are some mature, healthy trees existing within the proposed area . Preservation of these trees within the 20 foot landscape buffer along the Georgetown Railroad provides significant buffering and screening from the single-family homes nearby. A recommended condition of approval includes: "Preservation of most trees within the subject property (perimeter and interior), based on variety and maturity, must be considered."

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 Commercial character district. This district is intended for commercial uses and generally concentrated at intersections versus strip development along the major roads. The use of a higher landscape surface area, better landscaping along frontages and around and within parking areas. Other signage and design standards would significantly enhance the appearance of these areas.

The proposal is in compliance with the FLUM as it includes a proposed commercial use and a high landscape surface area as described in the "Enhancements" section of this report.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from South 31st Street, which is designated as a major arterial in the Thoroughfare Plan. This designation requires a six foot wide sidewalk on both sides and is noted on the Landscape Plan. Therefore, this request is compliant with the Thoroughfare Plan.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing eight inch sewer line along South 31st Street. Water is available through an existing 12 inch waterline along South 31st Street. Both water and sewer lines will require extensions to the subject property from their current location.

Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies a proposed local connector trail along South 31st Street. A note on the Landscape Plan requiring a six foot wide sidewalk is provided. Therefore, this request is compliant with the Trails Master Plan.

DEVELOPMENT REVIEW COMMITTEE: As required by UDC, Section 3.4.2 B, the Development/Site Plan for the proposed mini-storage facility was reviewed by the Development Review Committee (DRC) on November 21, 2016. Site characteristics such as the easements and preservation of mature trees were discussed.

DEVELOPMENT REGULATIONS: Currently, the property can be developed with uses permitted by right that would not require a public process. A table in the attachments (attachment: UDC Standards Comparison Table) compares how the site could be developed (in the NS zoning district) versus how the applicant is proposing to develop the site (in the PD-NS zoning district). The table shows this proposal is exceeding side and rear setbacks, buffering and screening, landscaping, masonry and code other requirements. This proposal also includes tree preservation and architectural elements, which are not required by code. Further, this proposal's maximum building wall height is 21 feet (per condition of approval #13); code allows for 28.75 feet.

PUBLIC NOTICE: The original public notice for the 7.35 acres included 25 notices mailed to property owners within the 200 foot buffer area of the subject property. The notices included information on the public hearing as required by State Law and City Ordinance. Staff received two notices in agreement with the proposal. One of these is from the current property owner of the subject property. Staff received 17 notices in disagreement of the proposal.

UDC, Section 3.3.4 Protest states that a Zoning district map amendment application requires a three-fourths vote of the City Council in order to be approved if a written protest has been signed and submitted by the owners of a minimum of 20 percent of the area of the properties immediately adjoining the area covered by the proposed changed and extending 200 feet from that area. This threshold is exceeded with 48 percent in opposition to the proposal (attachment: Z-FY-17-03 Opposition Area). Therefore, a protest is triggered.

Also, letters were submitted from the Bentwood Professional Property Owners Association, from residents at the Creeks at Deerfield and from another property owner outside of the 200' buffer area (the Applicant responded to these comments, which can also be found in the attachments). A representative from the Deerfield Estates submitted a petition. These were all in disagreement of the proposal. All public comment is included in the attachments: Returned Property Owner Notices – Within the 200' Buffer Area, Public Comment – Outside of the 200' Buffer Area and Applicant's Response to Property Owner Comments Outside the 200' Buffer Area.

The newspaper printed notice of the public hearing on November 24, 2016 in accordance with state law and local ordinance.

A second public notice was sent that included the amended development/site plan. Due to the scope and the overall acreage being reduced there were fewer property owners within the 200 foot buffer. The reduced scope includes 17 property owners. As of March 27, 2017 Staff received nine notices in disagreement and one notice in agreement of the amended proposal. As a courtesy, Staff did send a notification to the eight property owners who were in the original notification area but were technically no longer within the 200 foot notification area due to the reduced project scope.

The opposition consisted of approximately 43 percent of the area of the properties within 200 feet of the subject properties are in opposition to the proposal. The new calculations with the revised scope still trigger a super-majority vote by Council.

CITY COUNCIL MEETING SCHEDULE: This request is scheduled for a first reading on April 6, 2017 and a second reading on April 20, 2017.

FISCAL IMPACT: Not Applicable

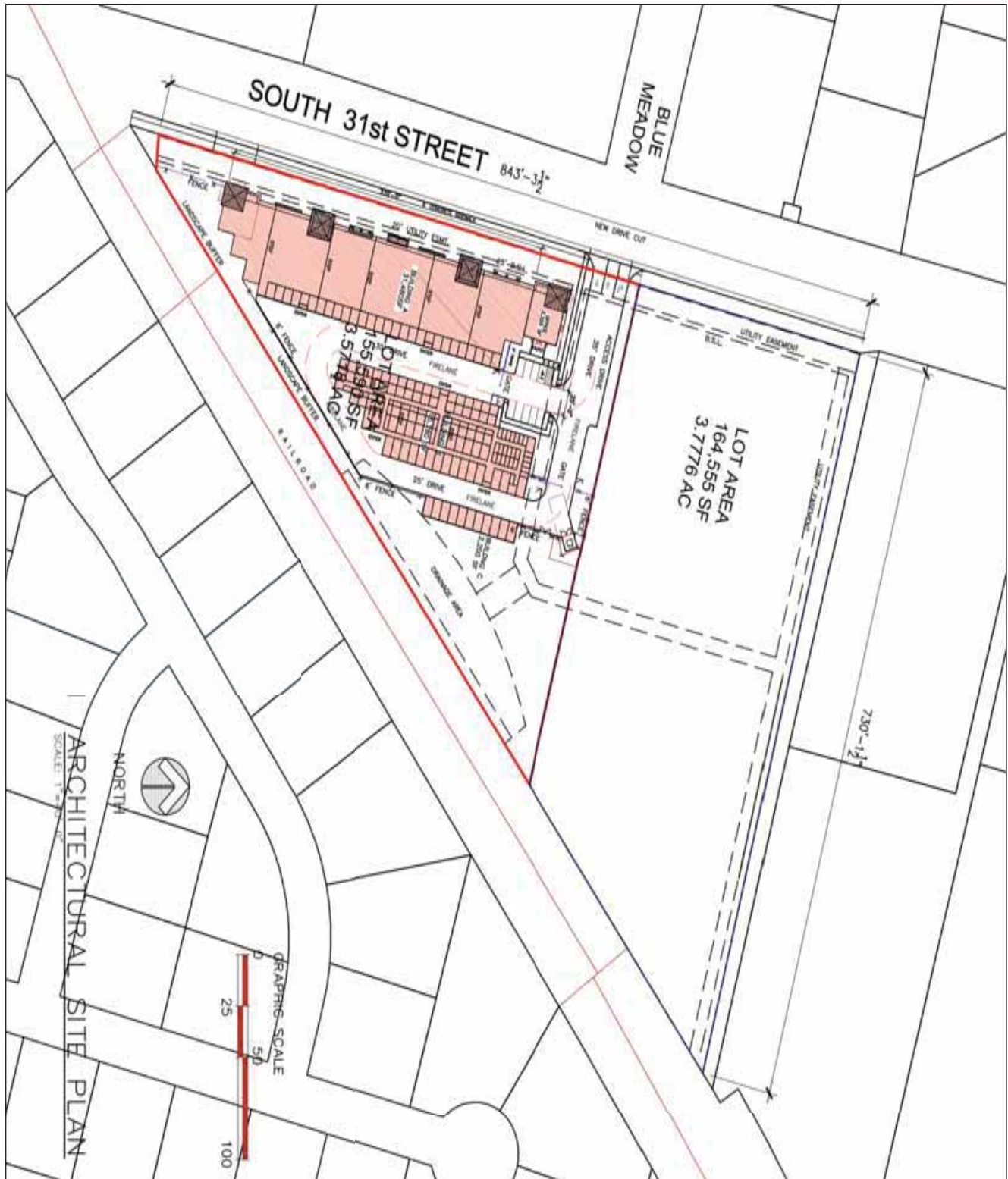
ATTACHMENTS

[Temple Storage Rendering](#)
[Revised Development/Site Plan_reduced scope](#)
[Revised Landscape Plans_reduced scope](#)
[Revised Elevations_reduced scope](#)
[Aerial Map / Utility Map](#)
[Zoning Map / Future Land Use and Character Map](#)
[Thoroughfare & Trails Map / Notification Map](#)
[Site and Surrounding Property Photos](#)
[Summary of Uses Permitted in the NS Zoning District](#)
[December 6, 2016 Meeting Minutes](#)
[Public Meeting – January 18, 2017 Sign-In Sheet](#)
[Surveyor's Sketch](#)

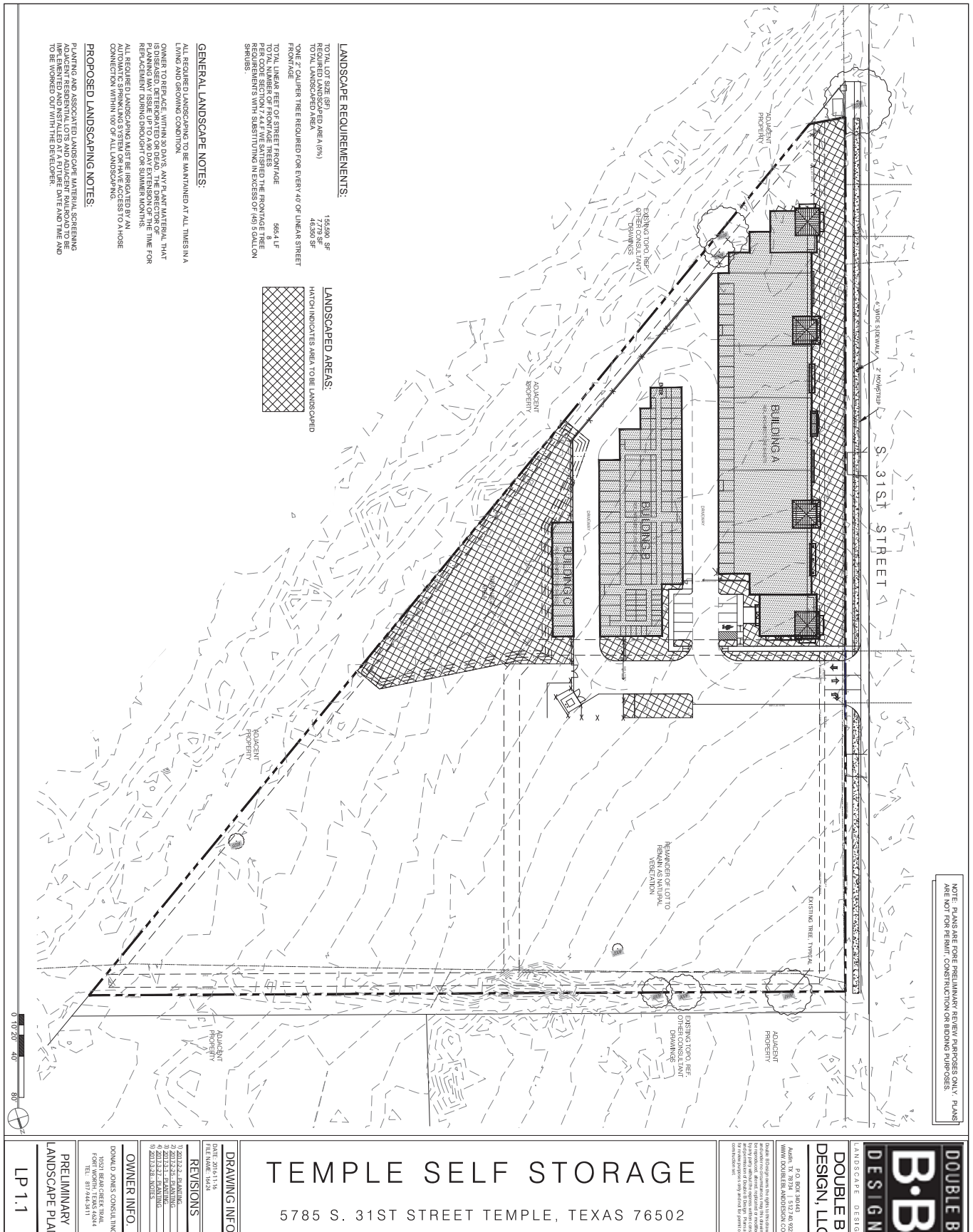
Richard Wilson email
RVOS Addition Final Plat
Surrounding Properties & Uses Table / Comprehensive Plan Compliance Summary Table
UDC Standards Comparison Table
Opposition Area (original request)
Returned Property Owner Notices (original request) - Within 200' Buffer Area
Public Comment (original request) – Outside of the 200' Buffer Area
Applicant's Response to Property Owner Comments Outside the 200' Buffer Area
Opposition Map (reduced scope)
Returned Property Owner Notices (reduced scope) – Within 200' Buffer Area
Public Comment (reduced scope) – Outside of the 200' Buffer Area
Outward-Facing Building Facades Graphic
DRAFT February 6, 2017 P&Z Excerpt
Ordinance

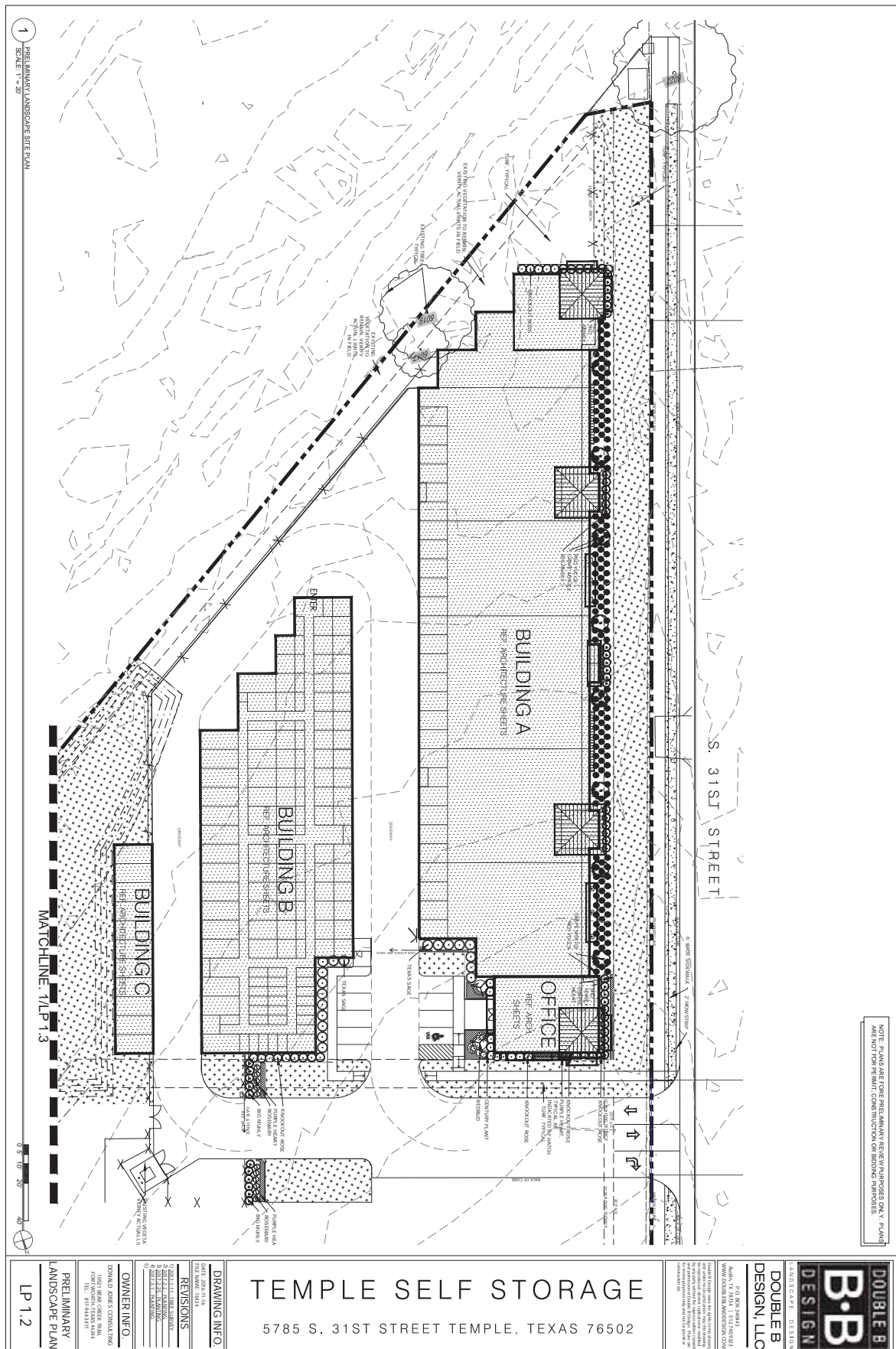


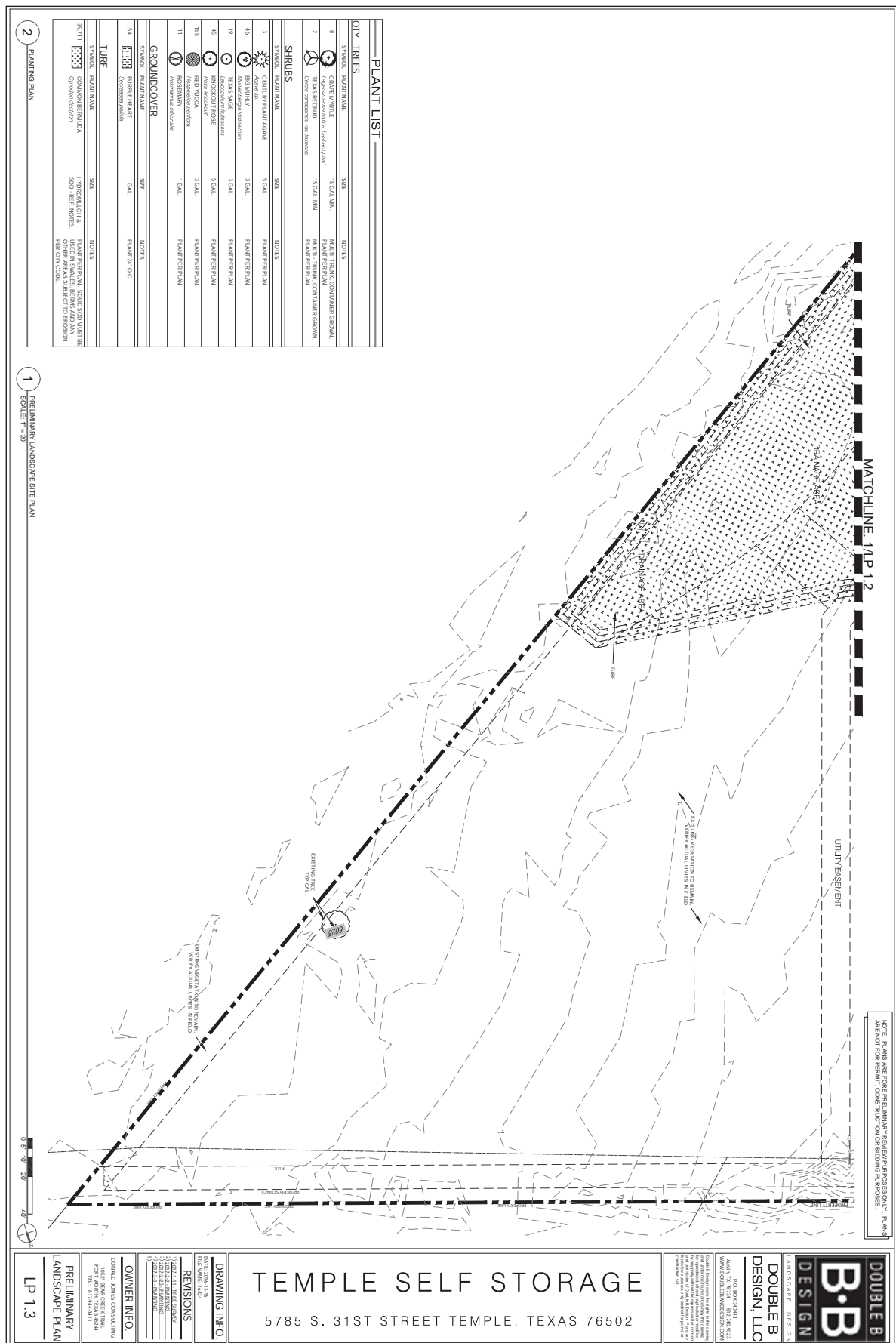
Revised Development/Site Plan

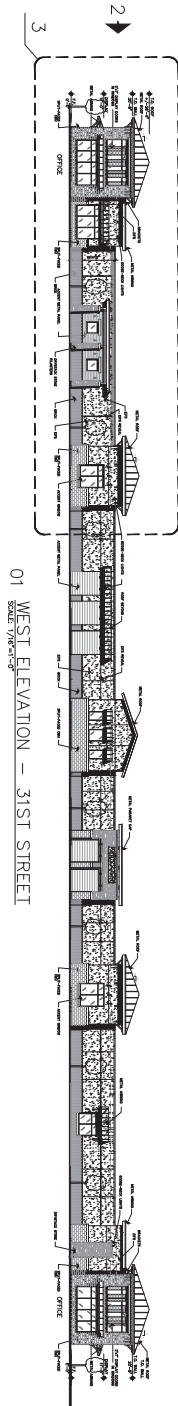
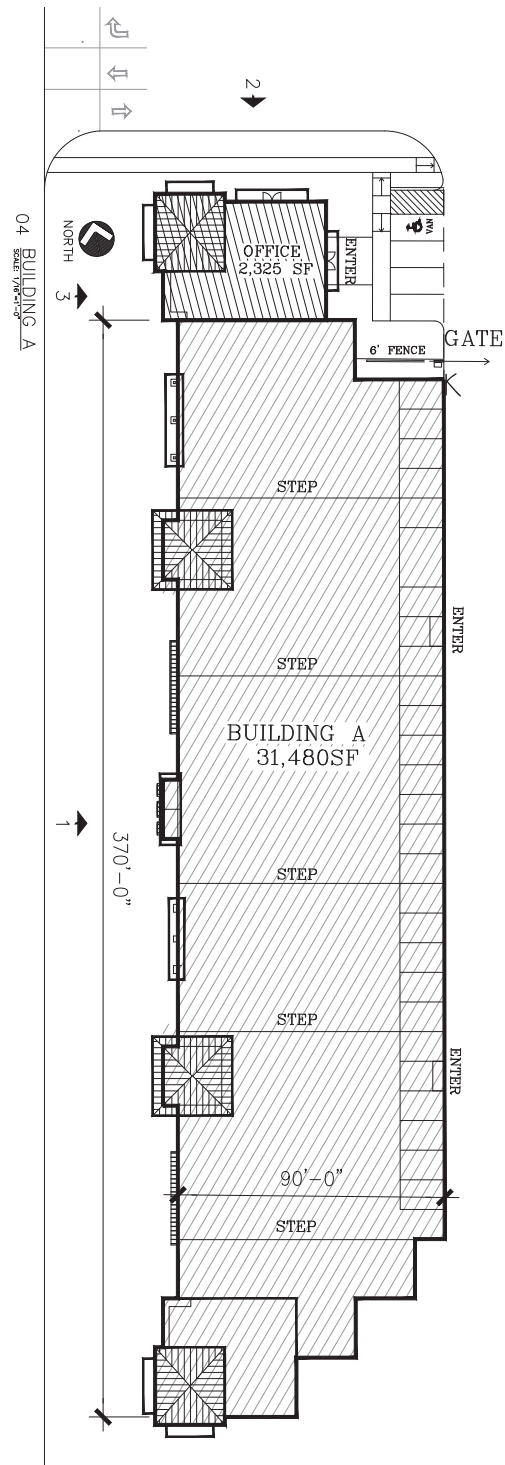


Revised Landscaping Plan Overall

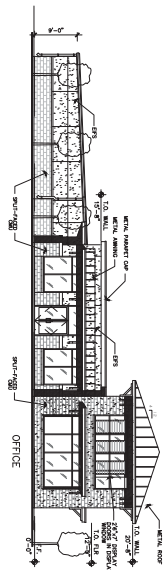




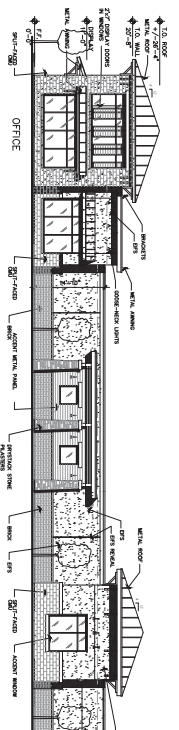




02 NORTH ELEVATION - OFFICE
SCALE: 1/8"=1'-0"



03 PARTIAL WEST ELEVATION - 31ST STREET
SCALE: 1/8"=1'-0"



SHEET NUMBER:

A2.1

SHEET TITLE:

ELECTIONS
OPTION D

DATE: 02/28/2017

REVISIONS:

NO.	DESCRIPTION	DATE

New Self Storage Facility

31st Street Self Storage

5785 S. 31st Street

Temple, Texas 76502

Donald Jones Consulting

10521 Bear Creek Trail
Fort Worth, Texas 76244
Tel: 617-944-3411

Contact: Donald Jones

PRELIMINARY
CONSTRUCTION FOR
THE CITY OF TEMPLE
CITY ENGINEER AND
OWNER APPROVAL
MICHAEL D. MAULDIN
TEXAS 000265

MAULDIN

ARCHITECTS

San Antonio, Texas 210-313-3197

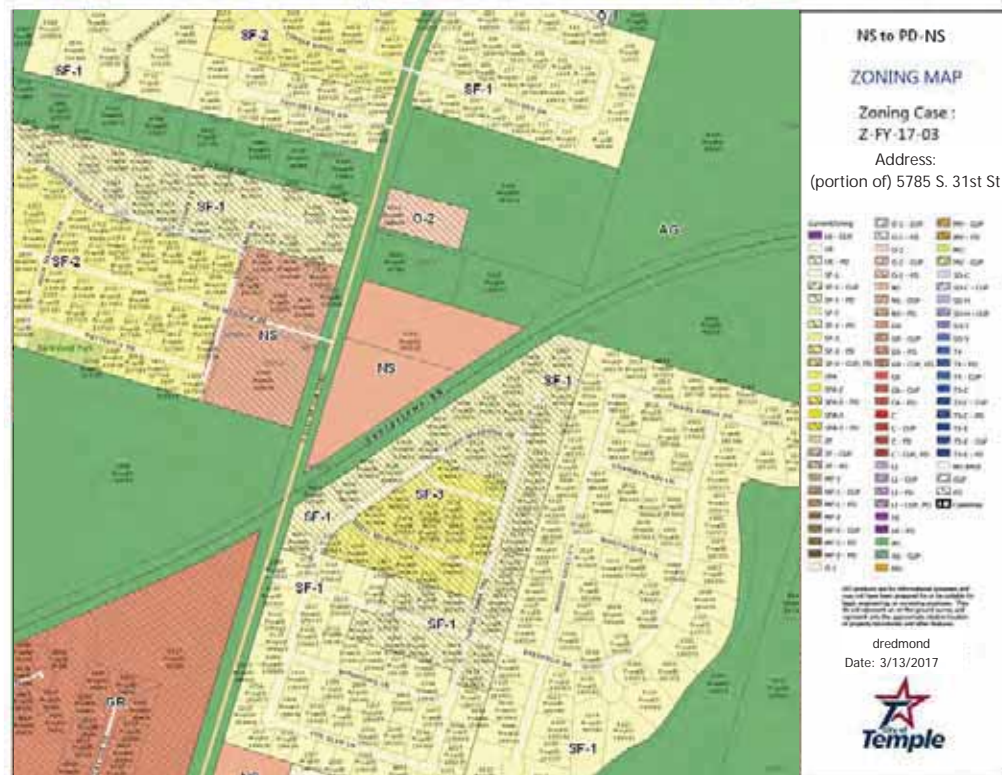
www.MauldinArchitects.com info@MauldinArchitects.com



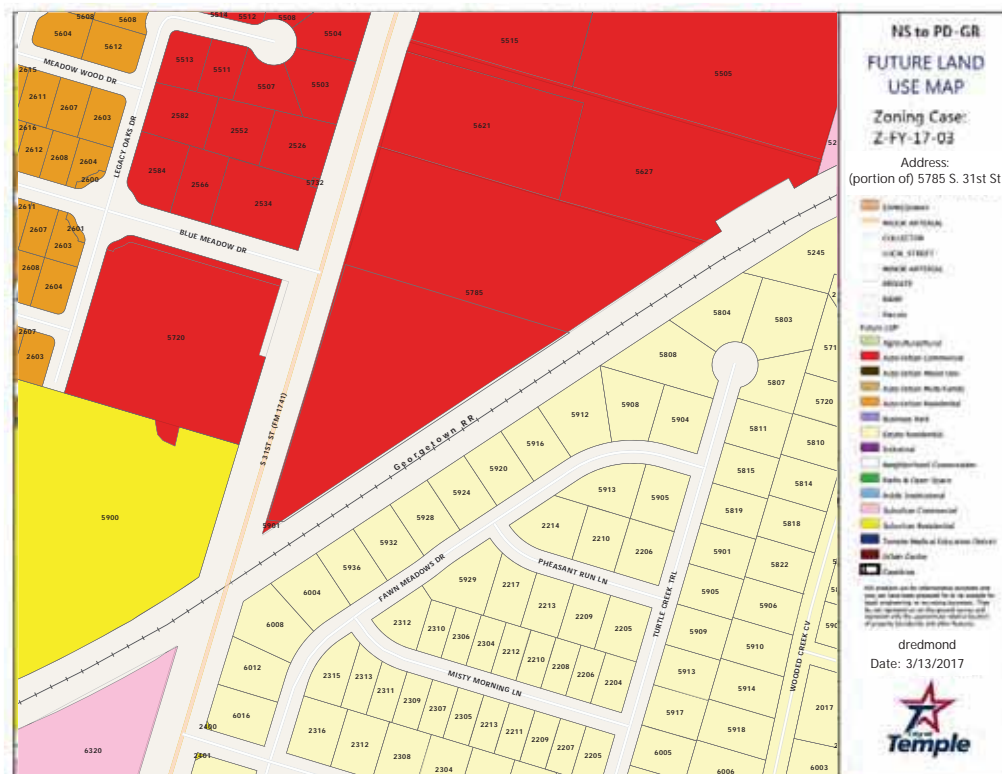
Aerial Map



Utility Map



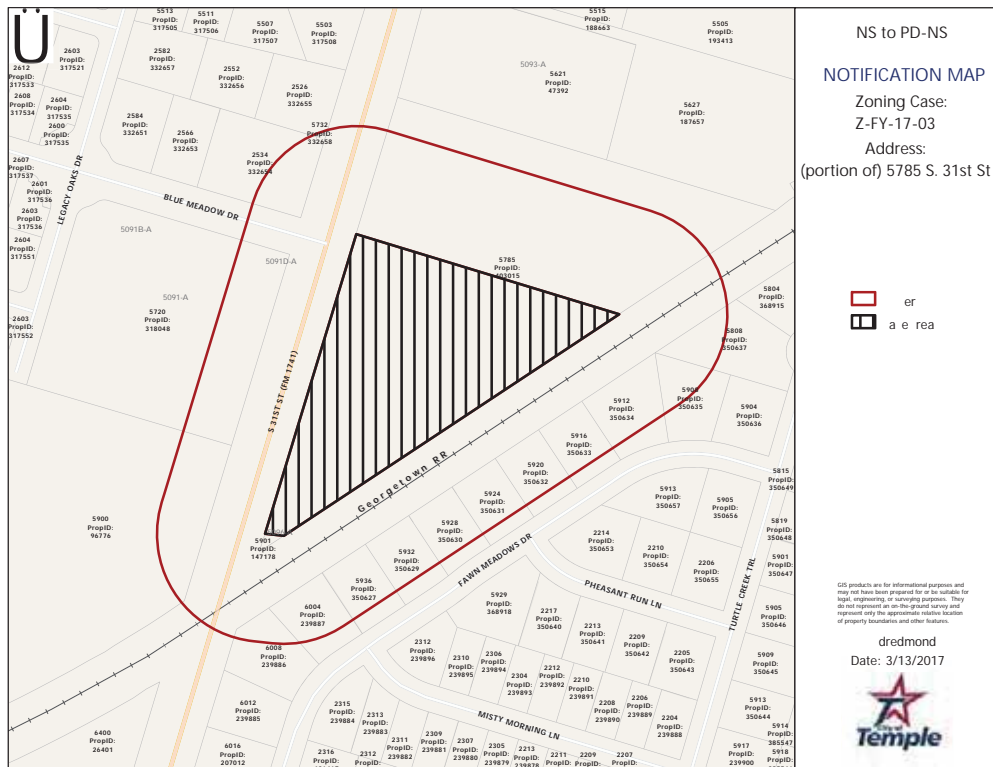
Zoning Map



Future Land Use Character Map



Thoroughfare & Trails Map



Notification Map

Site Photos



Location of sign posting along S. 31st Street.



Looking south down S. 31st Street.

Site Photos



Property to the south and west: Bentwood neighborhood.



Georgetown Railroad abuts the property to the south.

Summary of Uses Permitted in the NS Zoning District

	Existing NS
Residential Uses	*Group home Single-family
Agricultural Uses	Farm, ranch, orchard
Commercial Uses	none
Education & Institutional	Museum *Cemetery Place of Worship School, business *Community Center Pre-school/ elementary school
Industrial Uses	*Laboratory medical, dental
Office Uses	Office
Overnight Accommodations	none
Entertainment/Recreational Uses	*Alcoholic beverage sales for on premise consumption: beer & wine only less than 75% revenue from alcohol (restaurant) Park or playground *Playfield or stadium Theater or playhouse (indoor)
Restaurant Uses	Restaurant (not drive-in)
Retail & Service Uses	Antique shop Bank Drug store or pharmacy Greenhouse Food or beverage sales store without fuel Bakery or confectionary shop Barber shop or beauty shop *Exercise gym Florist or garden shop Laundry and cleaning (self-service) Office supply store Retail shop, gift, apparel, accessory and similar items Travel agency
Vehicle Service Uses	*Fuel sales

*Conditional Use Permit required

A A D Z
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 5 30

A A D Z B
 Chair Greg Rhoads
 Bryant Ward Omar Crisp
 Lydia Alaniz Jeremy Langley
 Lee Armstrong David Jones
 Derek Marshall

 B AB

 Lester Fettig

AFF

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

he a en a th s meet n as ste n the et n a at the n c a
B n Decem e 016 at 4 30 m n c m ance th the en eet n s
a

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 5:30 P.M.

Invocation by Commissioner Jones; Pledge of Allegiance by Commissioner Ward.

A

tem 1 A a n tes Work session and the regular meeting of November 21, 2016.

Approved by general consent.

B A

tem D-FY-17-01 Hold a public hearing to consider and recommend action to amend Ordinance No. 2016-4749, for a TMED Planned Development District site plan on .85 +/- acres, Lot 11, Block 1, Highline Addition, to allow for a drive-

through restaurant located at 2110 South 31st Street, as well as to amend the overall development site plan to consider allowing a public sidewalk in lieu of a private trail.

Mr. Brian Chandler, Director of Planning, stated there were two parts to this request. The first part is to allow a drive-through at the subject property location (Lot 3B platted as Lot 11) by approving an amendment to the original site plan.

The site plan with building footprint shown. The building is 6,600 square feet and will be occupied by multiple tenants.

Another site plan is shown with an outdoor patio space of greater than 1,500 square feet which exceeds the Planned Development District Ordinance.

Current aerial site plan is shown.

The applicant will need to comply with the landscaping and proposed architectural standards of the Unified Development Code (UDC) and as approved in the Planned Development District Ordinance.

Part two of the request is a public sidewalk in lieu of a private trail.

Aerial site plan is shown for with the proposed private trail which would essentially connect the 200 plus apartment project with the South 37th Street stub-out road adjacent to the Candlewood Suites Hotel.

Another aerial shows what the area looks like currently with the preserved trees and the drainage easement. Whether developed as a trail or not, the trees are to remain.

The applicant is proposing a sidewalk in lieu of the proposed trail for connectivity. A six foot sidewalk is proposed along Scott Boulevard (in orange) for pedestrian connectivity all the way to the drainage area, which requires a Waters of the US Permit. The applicant has received this permit through the Army Corps of Engineers for the detention pond and the drainage work (indicated in the red-lined area).

The drainage portion (blue-lined area) requiring a Waters of the US Permit that would be outside of the scope of what the developer is requesting.

The green-lined area abuts another lot and upon future development a sidewalk will be required there. The City would need to provide pedestrian crossing from that sidewalk down to the leg of the Jaycee Park.

This proposal would implement the Trails Master Plan (TMP) as part of the Temple Medical Education District (TMED) standards for new development. The TMP does show a trail along Scott Boulevard connecting to Jaycee Park.

Cost estimates have been provided by the applicant/developer comparing the trail costs of \$80,000 for a decomposed granite trail, tree work, etc., and the sidewalk construction of \$100,000 which is higher than the actual trail costs due to unknown expenditures for

December 6, 2016 Meeting Minutes

the reconstruction of driveways for Candlewood Suites and the office building to the west to meet ADA requirements.

The Thoroughfare Plan designates Scott Boulevard as a collector which requires a four-foot wide sidewalk, except in TMED it requires a six-foot wide trail.

Jaycee Park Master Plan is shown. Jaycee Park is funded for bond improvements (\$1.1 million estimate).

Additional view of the "Trail" and Candlewood Suites and how the connectivity would be proposed.

The office building located at 2002 Scott Boulevard would also be affected, if approved.

Development Review Committee (DRC) reviewed this site plan on November 21, 2016 and the applicant has adequately addressed all comments.

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

Staff recommendation is approval with the following conditions:

- That the sidewalk is six-feet wide for consistency with:

- The other Scott Boulevard sidewalk required by the developer; and

- The Trails Master Plan minimum width; and

- That the length of the sidewalk extends to either:

- The drainage channel per the Proposed Sidewalk Exhibit; or

- As far west as the estimated \$100,000 will go:

- The cost of the two driveways at 1850 and 2002 Scott Boulevard could change based on ADA sloping requirements

Mr. Chandler explained Candlewood Suites may have been built around 2005-2006 which predates TMED and is not actually located within the TMED. Mr. Chandler is unsure why the sidewalk was not required for Candlewood Suites at the time of construction.

Chair Rhoads explains the time limits procedure in order for everyone in attendance to have an opportunity to speak.

The public hearing was opened.

There being no speakers, the public hearing was closed.

Commissioner Crisp made a motion to approve Item 2, D-FY-17-01 and Commissioner Ward made a second.

Motion passed: (8:0)

Vice-Chair Fettig absent

December 6, 2016 Meeting Minutes, continued

- tem 3 Z-FY-17-0 – 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). ***Applicant requests postponement until the 12/19/16 P&Z meeting to develop a site plan and to amend the zoning request to PD-SF-1 (Planned Development District Single-Family One).***

Ms. Tammy Lyerly, Senior Planner, stated since Planning advertised this item for a public hearing Planning and Zoning is required to open a public hearing if anyone would like to speak. The applicant has requested the item be postponed until the next P&Z meeting scheduled for December 19, 2016.

Chair Rhoads opened the public hearing.

There being no speakers, the public hearing was closed.

Ms. Lyerly reminded the Commission that whatever motion is made to include the postponement to the December 19, 2016 P&Z meeting.

Commissioner Ward a motion to table Item 3, Z-FY-17-0 , and will remain opened for a public hearing and Commissioner Marshall made a second.

Motion passed: (8:0)

Vice-Chair Fettig absent

- tem 4 Z-FY-17-03 – Hold a public hearing to consider and recommend action on a rezoning from the Neighborhood Services (NS) zoning district to the Planned Development-General Retail (PD-GR) zoning district on 7.35 +/- acres, 1-lot, 1-block non-residential subdivision, proposed for a mini-storage facility, situated in the Redding Roberts Survey, Abstract No. 692, Bell County, City of Temple, Texas, located at 5785 South 31st Street.

Ms. Dessie Redmond, Planner, explained that since delivery of the packet on December 2, 2016, Staff has changed their recommendation of approval with conditions to PD-NS and not PD-GR and stated in the staff report in the packet.

This item is scheduled to go to City Council for first reading on January 5, 2017 and second reading on January 19, 2017.

The applicant/property owner is Mr. Wes Jackson, RVOS Farm Mutual Insurance, and Trey Pike.

The property is currently vacant, undeveloped, and located in the RVOS Addition Subdivision. There are some and existing drainage easements on the site. The Georgetown Railroad runs along the southern portion of the subject property.

December 6, 2016 Meeting Minutes

Surrounding properties include undeveloped land to the east, residential to the north, the Bentwood Subdivision to the west, and the Georgetown Railroad (which is inactive) abuts the property on the south.

The applicant is proposing a mini-storage warehouse as defined by the Unified Development Code (UDC) Section 11.2 – Definitions:

n - t a e a eh se. A building or group of buildings consisting of individualized shelters of various sizes for rent or lease for the purpose of providing protection of commodities stored in the mini-storage warehouse.

UDC, Section 5.38 states that the unit size is limited to a maximum of 2,000 cubic feet:

5 3 n - t a e a eh se

A mini-storage warehouse may be permitted in accordance with the use table in Sec. 5.1 provided that the size of each individual storage unit of a mini-storage warehouse is limited to a maximum of 2,000 cubic feet.

The proposed units range in size from 25 square feet to 200 square feet;

Some buildings are climate controlled;

Some buildings are non-climate controlled;

Approximately 350 total units (number of sizes yet to be determined);

Combination of Exterior Insulation Finish Systems (EIFS), brick, split-faced concrete masonry units (CMUs) and accent metal paneling (visible facades as shown in the north and west elevations);

*A 20 foot wide buffer along the Georgetown Railroad for future “rails to trails” amenity;

*39% of site is proposed to be landscaped; and

The remaining 2.16 +/- acres are not included in this site plan and would require a PD amendment if developed in the future.

(*Staff considers enhancements to the site because the proposal exceeds requirements by the UDC)

Site plan shown. The proposal is split into two phases and Phase One includes an office space.

Ingress and egress will be located off of South 31st Street.

Elevations and landscaping plans shown.

In accordance with the UDC, Section 3.4.3 and 3.4.4, a Planned Development requires approval of a development/site plan which is binding to the project.

In UDC, Section 3.4, a Planned Development is defined 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.”

A PD typically includes:

- Screening/Buffering;
- Landscaping; and
- Combination of Exterior Building Materials.

The existing zoning map shows AG to the north, Single Family One (SF-1) to the south, NS to the west (with a PD), and SF-1 to the east.

In the Future Land Use and Character Map, the subject property is designated as the Auto-Urban Commercial district which provides for commercial uses and requires a higher landscaped surface area. The UDC requires five percent and the applicant is proposing 39 percent, therefore, the request is compliant with the Future Land Use and Character Map.

The Thoroughfare Plan designates South 31st Street as a major arterial with existing adequate right-of-way and will provide ingress and egress to the property.

A six-foot wide sidewalk is required on the applicant's side of the road and this sidewalk is included on the applicant's submitted landscape plan.

The Trails Master Plan indicates a City-wide proposed trail along the Georgetown Railroad. The applicant has confirmed the trees will be preserved and supplement trees as needed within the buffer along the railroad. This request is compliant with the Thoroughfare Plan and Trails Master Plan.

Public facilities are available to the property which may require extensions.

The applicant's request is in compliance with the Future Land Use and Character Map, the Thoroughfare Plan, the Trails Master Plan and Sidewalk Ordinance, UDC, Section 3.4.5 Planned Development Criteria, and is consistent with the City's infrastructure and public service capacities.

Development Review Committee (DRC) reviewed this request on November 21, 2016 to discuss the following:

Site Characteristics:

- Existing easements;
- Constraints;
- Existing mature trees;
- Preservation of perimeter and interior trees based on species and maturity;
- Georgetown Railroad; and

“Rails to Trails” possible future amenity for the city’s trail system.

Comparison between NS and PD-GR uses are given.

Twenty-five notices were mailed in accordance with all state and local regulations with two response notices being returned in agreement and 12 response letters returned in disagreement.

UDC, Section 3.3.4. - Protest, states that 20 percent or more of the area within the buffer accounts for property owners in disagreement of the rezoning request will trigger a protest. This means that a three-fourths vote by City Council is required in order for this action to be approved.

The total area of the buffer portion of this request is approximately 665,472 square feet; and the opposition area is approximately 135,238 square feet, which equals 20.322 percent of the buffer.

Staff recommends approval for a rezoning from NS to Planned Development Neighborhood Services (PD-NS) with the allowed use of a mini-storage warehouse and with the following conditions:

- Substantial compliance with the Development/Site Plan;

- Substantial compliance with the Landscape Plans and Elevations;

- That the remaining 2.16 +/- acres will require a separate Development/Site Plan review by the Planning & Zoning Commission with approval by City Council prior to any future development;

- Each individual storage unit is limited to a maximum of 2,000 cubic feet;

- A six-foot wide sidewalk is required to be built along South 31st Street prior to the opening of the business;

- All exterior building facades related to the mini-storage buildings shall have exteriors containing a combination of Exterior Insulation Finish Systems (EIFS), split-faced concrete masonry units (CMUs), brick and accent metal panels as shown in the Elevations submittal;

- Preservation of most trees within the subject property (perimeter and interior), based on variety and maturity, must be considered;

- A continuous 10- to 15-foot wide landscape buffer is required between residential and nonresidential uses. The buffer must be installed prior to any nonresidential development and maintained per UDC, Section 7.4.8. - Maintenance and Irrigation;

- A continuous 20-foot wide landscape buffer is required along the Georgetown Railroad. This buffer must be installed prior to the completion of Phase II and maintained per UDC, Section 7.4.8. - Maintenance and Irrigation;

- All landscaping required by the UDC shall meet or exceed UDC, Section 7.4 - Landscaping;

- Any fencing along South 31st Street shall be decorative metal;

- This PD runs with the land and is not affected by the transfer of property owners;

The maximum building height allowed is 30 feet (top of wall and per submittal elevations); and

The applicant shall comply with all Texas Department of Transportation (TxDOT) requirements.

Chair Rhoads asked about lighting on the project. Ms. Redmond deferred to the applicant for response.

Chair Rhoads opened the public hearing.

Mr. Donald Jones, 4216 Little Bend Court, Fort Worth, Texas, stated he was representing Mr. Trey Pike. Mr. Jones provided a brief background on this project.

Mr. Jones has been in the storage business for 24 years and has worked all over the country.

When Mr. Jones was consulted about the subject property, he felt this property was most conducive to what he considered a good self-storage location: 1) it would accommodate a smaller self-storage property that would have nice curb appeal; 2) it would limit the growth of the business; 3) the 2.16 +/- acreage could possibly accommodate some other type of business; and 4) it is a multi-phase project which leaves access.

In the design of the facility the entire back portion was intentionally left as-is.

The applicant intends to preserve the trees on site.

The applicant will work with the City on the future Trails and Rails project.

Mr. Jones addressed the lighting question by stating through LED lighting, the lighting can be kept low enough and downward that there will be zero impact on the residential areas. It would not be overt just provide security.

Mr. Jones invited any of the neighbors/property owners/residents/HOAs to meet with him to discuss the project between tonight's P&Z meeting and the first City Council meeting. Mr. Jones looks forward to working with the residents on any concerns raised.

Brief discussion about the Waters Dairy storage project which was a totally different group.

Mr. Tex Burrows, 6205 Turtle Creek, Temple, Texas, asked about the difference between NS and PD-NS.

Ms. Redmond clarified that a PD requires the submittal of a site plan, elevations, etc., which becomes binding to the property and project.

Mr. Brian Chandler, Director of Planning, explained that this use would not be allowed in NS or GR unless it were tied to a PD district. The subject project would be bound to the elevations and the site plan if a mini-storage were to be built. Staff asked the applicant if they needed the GR zoning and they said no. If this project fails, the NS zoning district still prevails.

Mr. Burrows lives in Deerfield Estates and is representing both his neighborhood and the Creeks of Deerfield. The Creeks of Deerfield created a letter and petition which included 38 signatures against this proposal. Copies of these documents were given to P&Z.

Mr. Burrows is on the Board of Directors of the HOA for Deerfield Estates. His main point tonight is the zoning that has been used by the City for this area which is NS. This

zoning was developed by the City to maintain the integrity of the neighborhoods around this area which include several neighborhoods/subdivisions.

Mr. Burrows asked the Commission to maintain the integrity of the original plan with the NS zoning, which is the most restrictive, since GR is inappropriate and creates other problems.

Mr. Burrows felt that the definition given for the PD-NS may calm a lot of fears but it is still a concern for many residents.

Commissioner Jones stated the subject project did not look like the standard mini-storage building(s) people equate with and asked if the mini-storage facility itself was causing concerns. Mr. Burrows responded that none of the residents he spoke with prior to the meeting were aware of the type of mini-storage explained here tonight. It was Mr. Burrows' opinion that some residents may feel better about the mini-storage facility but others may not just because it is a mini-storage. Mr. Burrows personally felt the concept was better than what was known prior to the meeting.

The mini-storage buildings include a combination of climate-controlled units and non-climate controlled units.

Mr. John Shanafelt, 5934 Fawn Meadow Drive, Temple, Texas, stated his property backs up to the subject property. There are three other storage facilities within a mile and a half and he questions why another is needed.

Mr. Shanafelt had concerns about the 25-foot setback since nothing else in the area was that close to the road. He also had concerns about the flat roofline and the height of the building.

When it rains, the subject property drains through the back yards of the residents. There was considerable concern about where the water would go and who would maintain it.

Mr. Shanafelt stated putting this building with a 730-foot front wall, being 15-feet tall, and the corners being 30-feet tall (the height of a telephone pole), in a residential area, it is too close to the street, too massive on the face, and the drainage needs to be addressed in advance of any proposal.

Mr. Chandler responded to the drainage issue by stating it was preliminarily reviewed through the DRC (which consists of City Staff) and they are aware of the issue. At permitting, the applicant would need to address the drainage plan requirements.

Mr. Chandler added in regards to the setback issue, the 25-foot setback starts from behind the utility poles which are located in the utility easement. A lot of the front area is right-of-way and would not be in direct conflict.

Ms. Susan Head, 5621 South 31st Street, Temple, Texas, stated she owns the property across the street from the subject property.

Ms. Head is against the mini-storage facility and does not believe it is the best use for the property. Ms. Head has lived in her home for 40 years and seen many changes in the area over time.

Ms. Head is concerned that people would start using her driveway as a turnaround, thievery will increase, and she has never known a mini-storage to look nice. To Ms. Head, the design sounds fort-like with 30 foot towers, lots of fencing and concrete, and lots of metal.

Ms. Head feels the community should remain as it is.

Mr. Mark Hacker, 5604 Legacy Oak, Temple, Texas, stated he is representing some of the neighbors and they are against this idea since it would detract from the neighborhood and not the best use for the land.

Mr. Dan Mares, 5804 Turtle Creek Trail, Temple, Texas, stated he was concerned about the drainage situation. Mr. Mares moved to the area in 2006 and he has dealt with the runoff from the subject property and the railroad tracks for ten years. Mr. Mares explained the City did put in a small culvert on the east side of the railroad track which has helped some; however, there is still a lot of drainage/runoff occurring.

Mr. Mares commented the subject property has been vacant since he moved to the area.

Mr. Mares stated he was opposed to the storage facility and does not believe it is appropriate for the area.

Mr. Paul Cox, 6004 Fawn Meadows Drive, Temple, Texas, stated he was in agreement with the facility, but not for three stories tall. Mr. Cox feels there is a lot less traffic coming in and out of the storage facility than the subdivision or the office complex.

Mr. Cox felt the applicant would provide more security for the business than it has currently and did not have concerns about that.

It was asked of the applicant if there needed to be a three-story tall building at each end of the facility.

Mr. Donald Jones returned to the podium and stated the applicant is willing to make adjustments to any of the stated concerns and the three-story parapets façade could be adjusted to be smaller.

The drainage issue was not created by the applicant but Mr. Jones can assure that the City will make the applicant fix the problem. The applicant/developer is already working with a civil engineering group out of Austin and Mr. Jones feels a detention pond is being designed to accommodate the issue for the entire seven acres.

Mr. Paul Cox asked what type of barrier/fence would be along the railroad tracks and the storage units, the “trash” trees, and would the landscaping be done during Phase II.

Mr. Jones responded that a wrought iron (expanded tubed metal with shepherd's hook) fence would be installed since it creates a barrier to keep people from crossing over the fence. Security is extremely important to the facility.

The trees on the back lot would be inspected to identify the trees and what needs to be removed or preserved with any preserved trees accounting towards the landscaping agreement requirements.

The applicant is only developing the first three and a half acres and will need to work with the City on what they can or cannot do. This is a two-phased project. The initial thought is to fix the tree line immediately behind the property in the first phase and then phase II would include the remaining portion of the tree line; however, Mr. Jones is open to discussion.

Mr. Jones confirmed there will be no outdoor storage whatsoever. Mr. Jones also confirmed that the applicant is not interested in having or including any truck rentals/sales (U-Haul, Ryder, etc.).

Ms. Susan Head returned to ask about the fencing along South 31st Street (the section facing the road).

Mr. Jones responded there would be zero fencing on 31st Street since the wall (façade) is what they would want to show to the community and to look nice. The only fencing involved would be on the back portion of the subject property against the Georgetown Railroad section to prevent anyone from coming in the back way and close off any access points from the side.

Additionally, the location of the main drive is for safety of and clear ingress and egress. The applicant prefers only one driveway on the entire subject property which could also serve as a shared common driveway if the other property is sold or developed.

Chair Rhoads clarified that the remainder 2.61 +/- acres would be untouched since it was a project for a later time, which would need to return to the Planning & Zoning Commission and ultimately City Council.

Ms. Head is against the proposal.

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

Staff has asked the applicant to submit an additional elevation for the front building of phase II (Building E) but has not received it to date. A condition for approval addresses the façade. All exterior building façades related to the mini-storage building shall have exterior combination of materials as shown in the elevation.

Mr. Chandler clarified that this meant the public facing façade (what people would see). The internal units were not necessarily required to be masonry and would defer to the applicant to address the interior façades.

Chair Rhoads reopened the public hearing for the applicant to explain.

Mr. Donald Jones stated the intention was to make the front façade on 31st Street as nice as possible. When the applicant builds the Trails and Rails portion, they want the back portion to be as nice as possible as well. Mr. Jones stated it would be alright with the applicant to do split-faced blocks in between the buildings but you generally would not do an EIFS-type product. In Phase II, the large building façade would be very nice since it will be visible from S. 31st Street.

The building on the back side by the drainage pond could be done in brick or face block or something similar to have a nice clean façade to the public if Trails and Rails is created. The three interior buildings will not have stucco, etc., but could do split-faced block in between the doors.

Chair Rhoads closed the public hearing.

Commissioner Jones offered up a motion to table the item and explained there were too many issues creating confusion and several unresolved matters.

Commissioner Crisp agreed with Commissioner Jones' comments.

Chair Rhoads agreed with the comments made and stated growth is coming and inevitable in the area, as well as the rest of the City.

Chair Rhoads reiterated the three-fourths vote will be required for approval by City Council due to the number of responses in disagreement of the request.

December 6, 2016 Meeting Minutes, continued

Commissioner Marshall asked if the Commission decided to table this item, is the Commission allowed to request to have a site drainage study/information included with the resubmitted elevations. Mr. Chandler confirmed the Commission is allowed to request this item in the motion; however, the applicant should be allowed to state how much time they would need to provide the information. The motion should include a specific date to return to the P&Z Commission.

Mr. Chandler stated after conferring with Ms. Trudi Dill, Deputy City Attorney, it was not necessary to open and close a public hearing to hear the applicant speak. Applicants may make comments at any time during meetings.

Mr. Jones replied with the holidays coming up and his current travel schedule, he requested to return to P&Z on February 6, 2017.

Mr. Chandler stated Staff would coordinate with applicant and residents to provide any dialogue and feedback for the applicant to make any changes prior to February 6, 2017.

Commissioner Jones made a motion to table Item 4, Z-FY-17-03, until February 6, 2017 Planning & Zoning meeting and directed Staff to work with the applicant and property owners with any dialogue, feedback, and/or meetings needed and Commissioner Crisp made a second.

Motion passed: (8:0)
Vice-Chair Fettig absent

There being no further business, the meeting was adjourned at 7:21 p.m.

Respectfully submitted,
Leslie Evans

Public Meeting - January 18, 2017 Sign-In Sheet

PUBLIC MEETING – JANUARY 18, 2017
SIGN-IN SHEET
Z-FY-17-03

Name	Address	Phone #	Email
Tim Pastor	5504 Fawn Meadows Dr.	972-315-5855	TEPastor@gmail.com
John Schanapet	5924 Fawn Meadows Dr.	214-684-9195	schanapet@starglobal.net
Donald Gons		817-456-4658	

Public Meeting - January 18, 2017 Sign-In Sheet, continued

PUBLIC MEETING – JANUARY 18, 2017
SIGN-IN SHEET
Z-FY-17-03

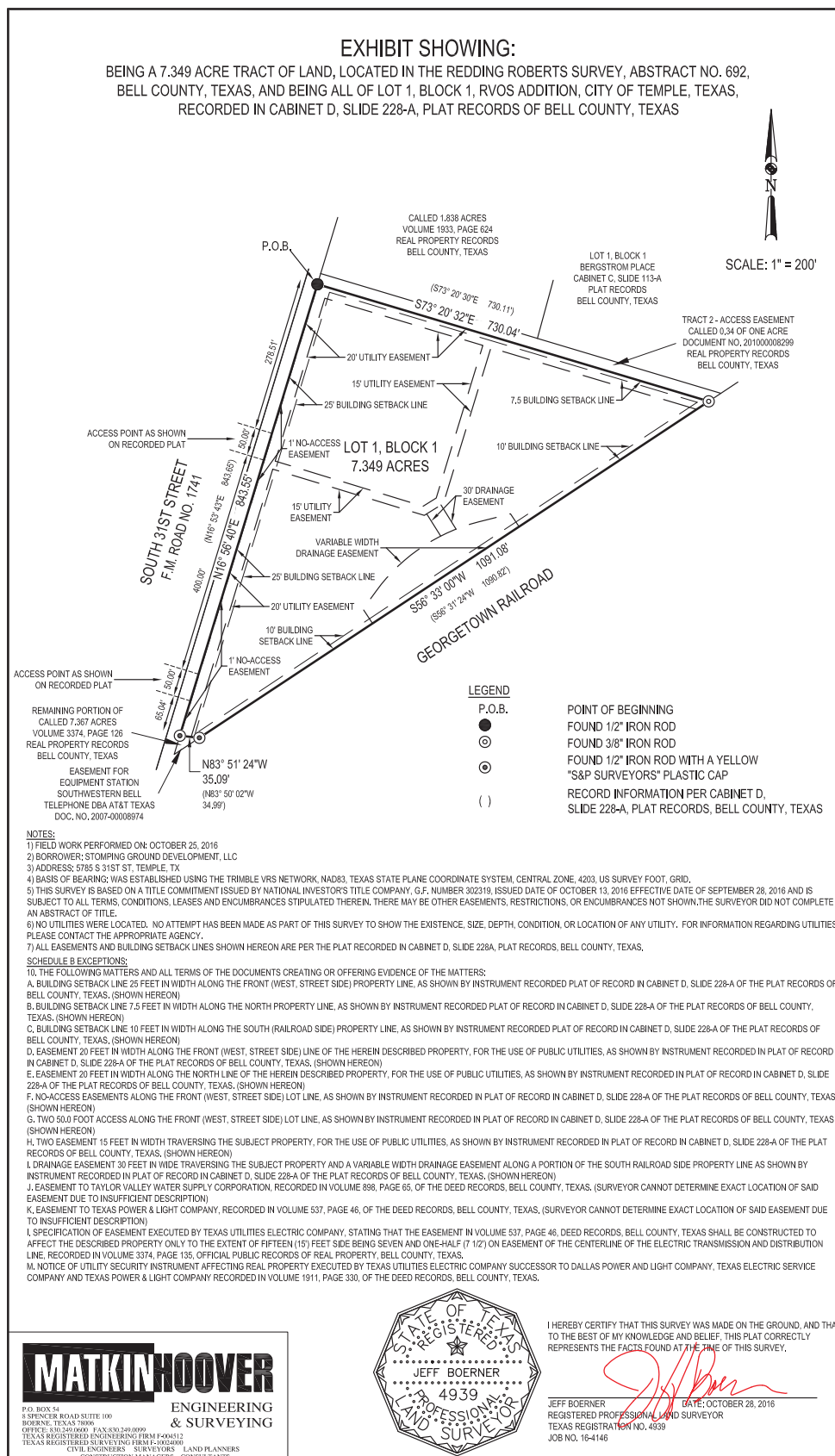
NAME Please Print	ADDRESS	PHONE #	EMAIL ADDRESS
Josiah Valera	211 Woodbine Blvd	561-367-4112	josiah.valera@gmail.com
Gary Fraytag	346 Holdings, Ltd. 7353 W. Adams Ave	254-300-1539 254	gary.fraytag@bdfairdev.com
L.V. Vogel	6511 Springwood	939-6245	
David Nix	2526 Blue Meadow FT 76502	770-3355	nixd@nationwide.com
Mark A. Kent	256 2566 Blue Meadow 76502	778-8888	markkent@hot.rr.com
Larry Allis	5912 Friess Meadows Tempe	742-0526	silvaco.veteran@yahoo.com
Joseph Roub	5808 Turtle Creek Trl.	791-0209	jroub74@yahoo.com

Public Meeting - January 18, 2017 Sign-In Sheet, continued

PUBLIC MEETING – JANUARY 18, 2017
SIGN-IN SHEET
Z-FY-17-03

Name	Address	Phone	Email
Daniel Mares	5804 Turtle Creek Trail, Temple, TX 76502	254-771-1965	dan.mares@sbcglobal.net
TexBURROWS	6205 Turtle Creek Temple, TX 76502	913-6310	tex.burrows@ownersrep.co

Surveyor's Sketch



Dessie Redmond

From: Richard Wilson
Sent: Monday, March 13, 2017 11:25 AM
To: Dessie Redmond; Daniel
Cc: Kim Mettenbrink; Kenny Henderson
Subject: RE: Temple Storage update

Dessie,

After reviewing the drainage and reviewing the calculations provided by the developer's engineer, we have determined that a culvert can and will be installed under the dirt road. It is my understanding that the culvert will be installed even if the development does not occur. The drainage swale on the north side of the tracks near the road will also be reggraded to remove the washout at the tracks.

Richard Wilson, P.E., CFM
Deputy City Engineer
Public Works Department\Engineering Division
City of Temple, Texas

Office: (254) 298-5667

From: Dessie Redmond
Sent: Monday, March 13, 2017 11:08 AM
To: Daniel <dan.norma@sbcglobal.net>
Cc: Richard Wilson <rwilson@templetx.gov>; Kim Mettenbrink <kmettenbrink@templetx.gov>
Subject: RE: Temple Storage update

Good morning Mr. Mareš-

Thank you for your feedback and comments. I have copied Richard Wilson, Deputy City Engineer, on this email as he can provide details on the drainage comments and questions you have.

I will be including your comments in the City Council packet for the April 6 meeting. Also, at the meeting, there will be a public hearing for this rezoning request. During that time, you can also publicly state your opinion on the project to the City Council if you would like. If you have any questions about this, please let me know.

I've also copied Kim Mettenbrink who works for the Parks Department so they are aware of your request about adding the site to the parks system.

Thank you for your time and your comments,

Dessie E. Redmond, MURP & MLA
City Planner
City of Temple, Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501
254-298-5270
www.templetx.gov/planning

Richard Wilson Email, continued

From: Daniel [<mailto:dan.norma@sbcglobal.net>]
Sent: Friday, March 10, 2017 8:17 PM
To: Dessie Redmond <dredmond@templetx.gov>
Subject: Re: Temple Storage update

Thanks for the recent information. It still looks like the drainage issue has not been addressed. I hope the city of Temple looks into putting a drainage pipe under the road on the west side of the railroad tracks. This would really help the drainage problem.

I am very thankful the city of Temple did finally after 6 years install a drainage pipe on the east side of the tracks. However this did not solve the issue of the water flowing over the tracks because of the buildup of soil and the trash folks have been dumping on the west side of the tracks where the old road runs across the tracks.

I am still not convinced this is a good project. I would love for the city of Temple to purchase the property since we are the bluebonnet capital of Texas, this would make a great addition to the parks system.

Thanks again,

Dan Mares

Sent from my iPad

On Mar 8, 2017, at 11:00 AM, Dessie Redmond <dredmond@templetx.gov> wrote:

Good morning Mr. Mares-

I wanted to let you know that the Z-FY-17-03 rezoning request from Neighborhood Services (NS) to Planned Development (PD-NS) will be on the April 6 Council meeting agenda. I have attached the revised submittals for your review. Please let me know if you have any questions.

Thank you,
Dessie E. Redmond, MURP & MLA
City Planner
City of Temple, Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501
254-298-5270
www.templetx.gov/planning

<2017-02-01 Temple Storage Perspective.jpg>

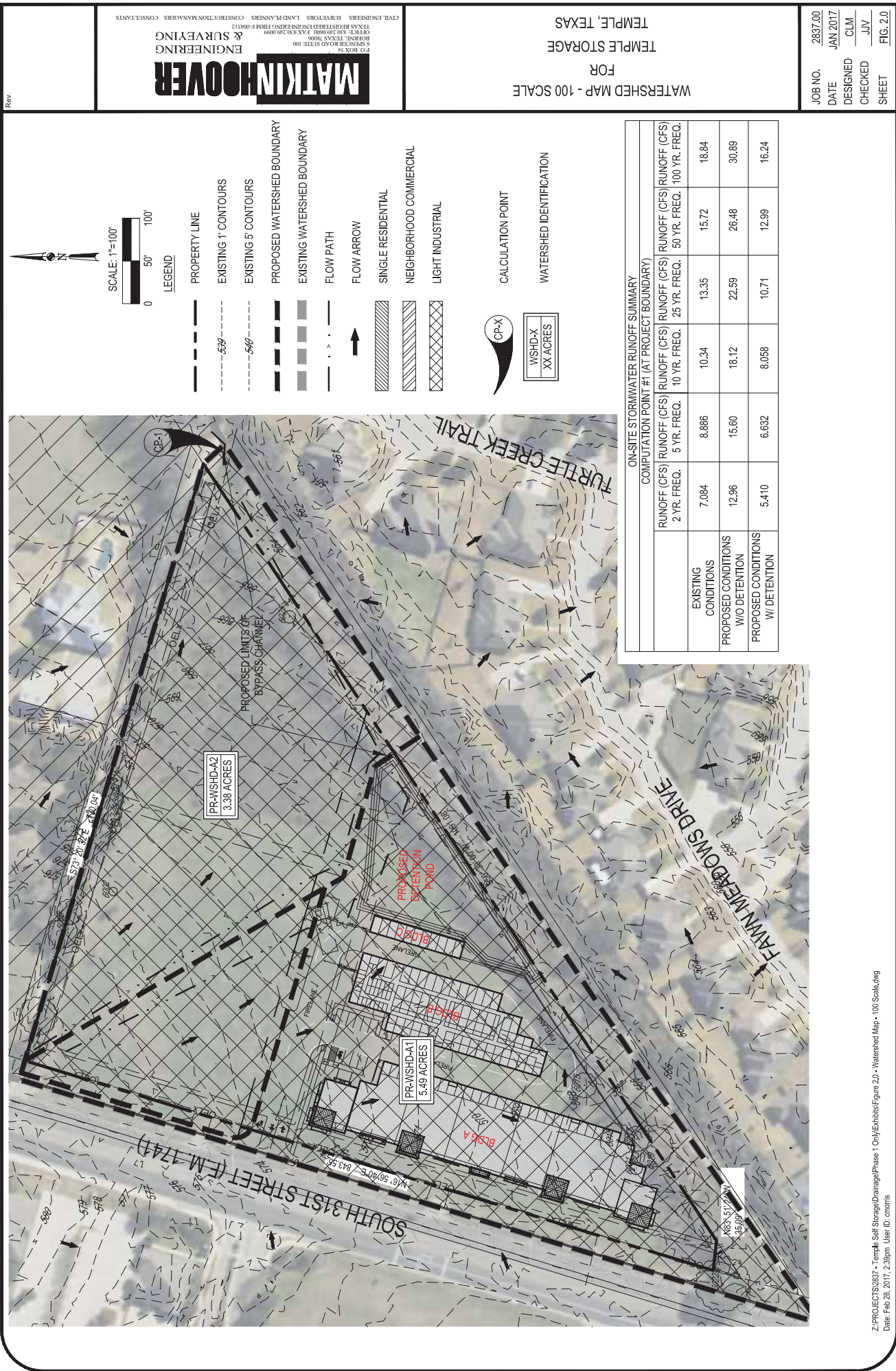
<Z-FY-17-03 Elevations_revised.pdf>

<Z-FY-17-03 Landscape Plans_revised.pdf>

<Z-FY-17-03 Site Plan_revised.pdf>

<Z-FY-17-03 Watershed Map - 100 Scale.pdf>

<Z-FY-17-03 Watershed Map - 200 Scale.pdf>



STATE OF TEXAS
COUNTY OF BELL

THE UNDERSIGNED, **DAVID A. GORDON**, being a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed Surveyor in the State of Texas.

WITNESS MY HAND AND SEAL OF OFFICE this 13th day of March, 2008.

David A. Gordon
Surveyor in the State of Texas

NOTARY PUBLIC, STATE OF TEXAS

My Comm. Expires: 03/13/2011

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

Being part of the Reading Street Survey, Addition No. 602, Bell County, Texas, containing 1.35 acres, more or less, situated in the City of Temple, Bell County, Texas, and being the same as shown on the plat of the same, recorded in the Public Records of Bell County, Texas, in Volume 10, Page 10000.

The plat is a true and correct copy of the original plat, and the same is hereby certified to be a true and correct copy of the original plat.

Witness my hand and seal of office this 13th day of March, 2008.

DAVID A. GORDON
Surveyor in the State of Texas

RECORDATION INFORMATION:

PLAT RECORDED IN COUNTY OF BELL, TEXAS, IN VOLUME 10, PAGE 10000.

RECORDATION FEE: \$10.00

FILED THIS 13th day of March, 2008.

NOTARY PUBLIC, STATE OF TEXAS

My Comm. Expires: 03/13/2011

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

Surrounding Properties & Uses Table

Direction	FLUM	Zoning	Current Land Use
Site	Auto-Urban Commercial	NS	vacant
North	Auto-Urban Commercial	AG	single family residential
South	Estate Residential	PD-SF1	single family residential
West	Auto-Urban Commercial	PD-NS	vacant/retail
East	Estate Residential	PD-SF1	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 Master Plan Map and Sidewalk Ordinance	Yes
UDC	UDC, Section 3.4.5 Planned Development Criteria	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

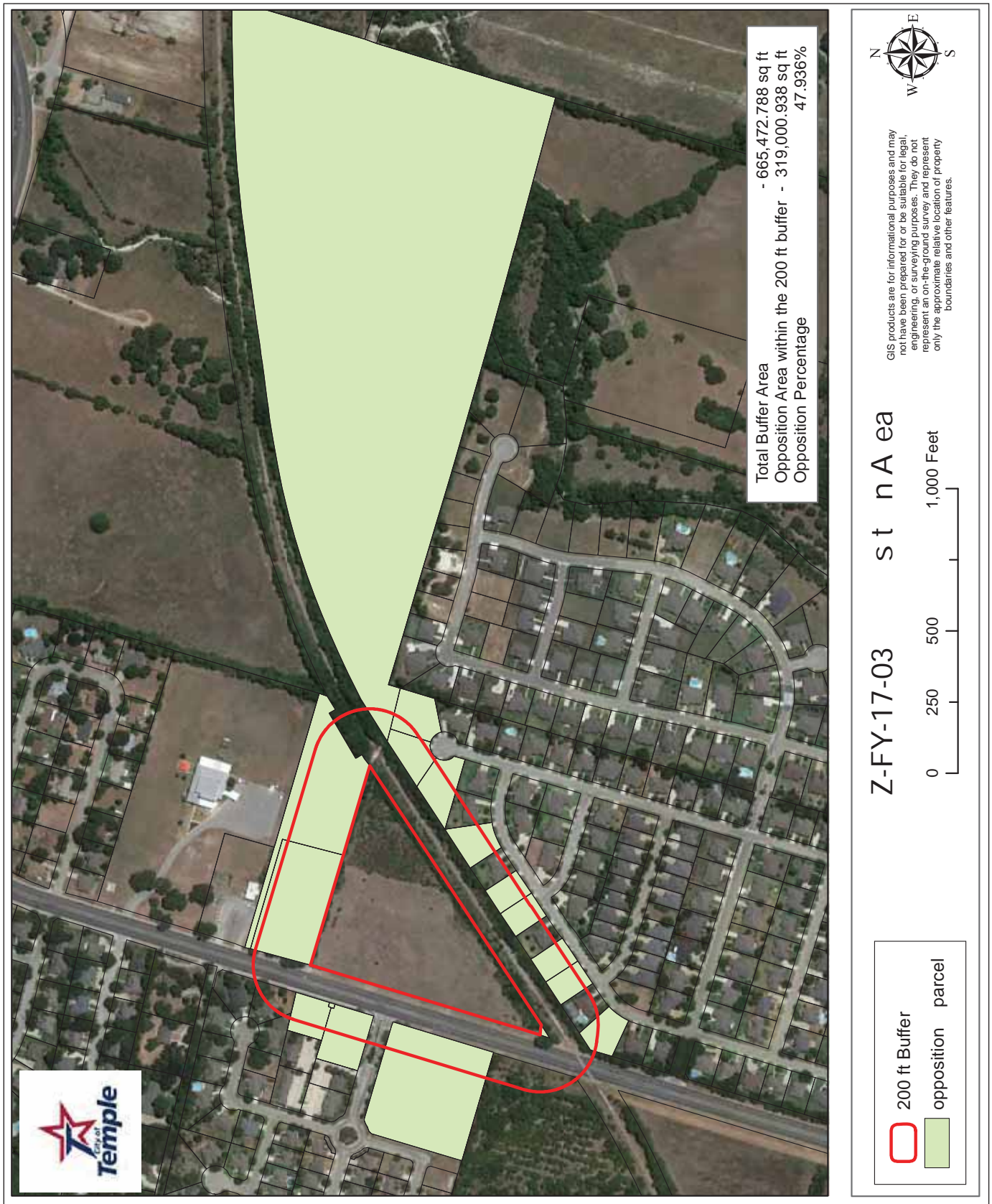
UDC Standards Comparison Table

	Existing NS	Proposed PD-NS
Minimum Lot Size	n/a	155,590 sq ft
Minimum Lot Width	n/a	565 ft
Front Setback	15 ft (per plat 25 ft)	25 ft
Side Setback	10 ft	apprx 44 ft (to new property line)
Rear Setback	0*	apprx 15 ft
Max Building Height	2.5 stories (28.75 ft)**	21 ft (COA)
Landscaping	5% of entire site	39% (old) / 29.8 % (new)
Buffer Along Georgetown Railroad	not required	20 ft wide landscape buffer (COA)
Masonry on Facades	70% if visible from ROW	100% on all outward facing facades (including some rear facades) (COA)
Tree Preservation	not required	preservation of existing trees (interior and perimeter) (COA)
Architectural Elements	not required	corbels, pitched roof, varying roof lines and overhangs

COA = Condition of Approval

* = See Section 4.4 Measurements & Special Cases.

**UDC defines the standard height for a story as 11.5 ft.





RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

COX, PAUL H ETUX AMY B
6004 FAWN MEADOWS DR
TEMPLE, TX 76502-7902

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

Security and outdoor lighting be minimal from
residential backyards
No outside storage of RV's, vehicles, boats all storage be
inside & closed


Signature



Paul & Amy Cox
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

RECEIVED

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

NOV 28 2016
City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: November 23, 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

FARMERS MUTUAL PROTECTIVE ASSOCIATION OF TEXAS
PO BOX 6106
TEMPLE, TX 76503-6106

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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

I ☒ agree

() disagree with this request

Comments:


Signature

11/29/2016

James E. Smith
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 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

NIX, JOHN DAVID
2526 BLUE MEADOW DR
TEMPLE, TX 76502-7924

RECEIVED
NOV 28 2013
THE CITY OF TEMPLE

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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

After reading entire document, and seeing mini-storage facility, I would be against any change in zoning. The investment of business and individuals would be hurt. The long term plan for development of our area would be hurt.

David Nix
Signature

David Nix
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than December 6, 2016.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 2016

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

Returned Property Owner Notices - Within 200' Buffer Area -
Nix, Updated Comments

Dessie Redmond

From: NIXD01@nationwide.com
Sent: Thursday, January 19, 2017 9:51 AM
To: Dessie Redmond
Subject: Jan 18 - Public Forum for Rezoning request Z-FY-16-03

Follow Up Flag: Follow up
Flag Status: Completed

I appreciate the public forum last night. It was good to meet you.

Will there be opportunity for public comment to the P&Z? Should I put in my written response to the comments made last night? Can you just forward this to the members so they will know my thoughts?

I still strongly oppose changing the zoning on this property. I wanted to hear the developer, and I wanted to see the plans. Neither impressed me. The proposed location is not the place for this development. The location is well suited as it is currently zoned. There is no need on the part of this community to change the zoning just to fit this investor's needs. I am sure there are sites in Temple appropriately zoned for the desired business.

I understand Mr. Jones has a job to do. He is hired by an investor to find him a location that works for a self storage facility. I have looked on his website. The locations on his web site look like mini storage facilities (obviously, because that is what they are). The proposed facility, in spite of the proposed design, will look like mini warehouses. They may be nice mini warehouses, but they are mini warehouses.

My summary:

- Trey Pike, an investor from Austin, wants to build a mini warehouse facility in Temple.
- He reached out to Donald Jones, a consultant and manager of mini warehouse facilities, to help him find a feasible spot in Temple.
- Jones gets Lee Idom, a realtor, to find a spot.
- Idom finds the proposed location, even though it is not zoned appropriately.
- Jones starts the process of getting this location's zoning changed to fit his investor's needs
- Temple is obligated to allow the due process of going through the re-zoning request
- Jones listens to concerns and agrees to put lipstick on the mini warehouses
-

I understand perfectly that to the investor, the consultant, the realtor and even the engineer involved in this proposal this is simply a business deal. I get that, and I totally understand and respect that. They want us to change our zoning so they can profit from this location. But our community has no obligation to change our zoning just to make this a good business deal for these folks. Is it good for Temple? Is it good for the neighborhood? Is it good for the people that have invested already in this area? Will it be good in the long term for one of our communities most travelled entries? I think not.

Thanks,
David Nix



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

FOSSUM, RICHARD F
2000 RIVER RANCH RD
TEMPLE, TX 76504-4239

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

In the best interest of the community and this neighborhood, I feel zoning should be kept the way it is.

Signature

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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 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

KIELLA FAMILY LTD
PO BOX 1344
TEMPLE, TX 76503-1344

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas


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:

Do not want Mini Warehouses NS
is the correct zoning for this parcel


Signature

John Kiella
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 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**

PRINZING, DOROTHY M
5243 S 31ST ST
TEMPLE, TX 76502-3514

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

not conducive to a residential neighborhood

Dorothy M. Prinzing
Signature

DOROTHY M PRINZING
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 2016

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

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DEC - 1 2016

City of Temple
Planning & Development



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

RICHTER, JESSICA ETVIR RENE
5936 FAWN MEADOWS DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

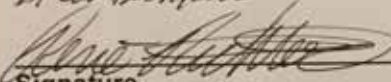
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

☒ disagree with this request

Comments:

We have 4 storage units within a 5 minute drive from this location there is limited need for another. This location is visited by hundreds of people every spring due to the abundance of Blue Bonnets that bloom here. 3. When my wife & I bought our house we didn't realize we were looking for property that was zoned for residential use. We don't want a storage unit in our backyard.


Signature

Rene Richter
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 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

RAUB, JOSEPH R ETUX SYLVIA SIMOUNET
2122 BIRDCREEK DR
TEMPLE, TX 76502-1020

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

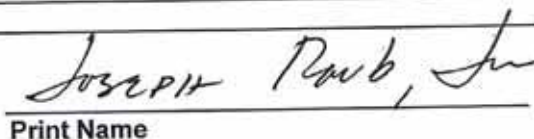
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I ☐ agree

☒ disagree with this request

Comments:


Signature


Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 2016

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

RECEIVED

DEC - 2 2016

City of Temple
Planning & Development

Returned Property Owner Notices - Within 200' Buffer Area - Goins

Dessie Redmond

From: Gary Goins <g6518@icloud.com>
Sent: Friday, December 02, 2016 9:39 AM
To: Dessie Redmond
Subject: Zoning

I like to have my input on the rezoning by Deerfield estates my name is Gary goins I live at 6008 fawnmeadows dr I like to object to the mini storage units that is propose are crime rate has increase and I think with mini storage units there it will increase more crime because it will make are values of our homes decrease thank you

Sent from my iPhone



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

VOGEL, LUTHER N
6511 SPRINGWOOD CT
TEMPLE, TX 76502-8765

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

I do not feel A mini-storage facility
is A good choice for this prime piece of property
in this location.
12-2-2016

L. N. Vogel
Signature

Luther N. Vogel
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

RECEIVED

DEC - 5 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: November 23, 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

HEBERT, JAMES E ETUX BEVERLY
5920 FAWN MEADOWS DR
TEMPLE, TX 76502-7936

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

Rezoning this property to non-residential would seriously cheapen the value of our property. 31st is a sub gateway to our city & this kind of business needs to be an FM 93 or through area like FM 93.

James E Hebert
Signature

J. E. Hebert
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

RECEIVED

DEC - 5 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: November 23, 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

VOYTKO, JAMES E LIVING TRUST AGREEMENT
C/O VOYTKO, JAMES E & MARY R
5932 FAWN MEADOWS DR
TEMPLE, TX 76502-7936

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

Why would you wish to spoil this property with garage-like structures? This is a main route to Temple and the scenery is important. Putting storage buildings along this route affects the value of all properties along 31st St.

Signature

James E. Voytko

Print Name

James E and Mary E
Voytko Living Trust

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

RECEIVED

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

DEC - 5 2016
City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: November 23, 2016

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

Returned Property Owner Notices - Within 200' Buffer Area - Allis

Dessie Redmond

From: Larry Allis <silver_veteran@yahoo.com>
Sent: Friday, December 02, 2016 5:57 PM
To: Dessie Redmond
Subject: Response to Zoning Request
Attachments: IMG_20161202_0001.pdf

Ms. Dessie Redmond' attached you'll find a scanned copy of my disagreement with the zoning change request that will be discussed at the December 6th meeting. Health reasons will prevent me from attending this meeting in person but I am very much opposed to changing the zoning classification of the property in question. When I moved here from Pennsylvania 11+ years ago I purchased a home in Deerfield Estates. I asked the question prior to purchasing the property what if anything could be built behind my home. The answer was nothing but possibly other homes. (This was according to Stillwater Homes). Now in an area that is purely residential there is a proposal to change the zoning to allow commercial properties to be comingled with residential. This (in my opinion) if approved is not only totally absurd, but it would demonstrate that Temple Texas does not have a professional zoning and development board in place that can properly manage growth. And if that's the case then how does Temple expect to entice professional talent to our city.

Again attached is my form and I hope that the board will disapprove this request.

Respectfully

Larry Allis



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

ALLIS, LARRY C ETUX MARGUERITE E
5912 FAWN MEADOWS DR
TEMPLE, TX 76502-7936

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

Nearly all the area adjacent to this property is residential -
From a planning perspective this makes a lot of sense. It will
be an eye sore not only to the adjacent properties but
to Temple as a whole community. How do you attract people to Temple to
live when they do know what will eventually be built next to their property

Larry C. Allis
Signature

LARRY C. ALLIS
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, drdmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 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

MARES, DANIEL F SR ETUX NORMA R
5804 TURTLE CREEK TRL
TEMPLE, TX 76502-7947

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

Concerned about drainage. Water comes
over the railroad tracks into the Dearfield addition
causing flooding.

Daniel Mares
Signature

Daniel Mares
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

Number of Notices Mailed: 25

Date Mailed: November 23, 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

MYERS, JOHN D ETUX SHANNON L
5803 TURTLE CREEK TRL
TEMPLE, TX 76502-7940

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

I am in favor of keeping the land in question as Neighborhood services. South 31st Street is becoming a very nice community of neighbors. As a resident in this area for 15 years, I have been pleased with the development. If allowed to rezone the area for general retail, it has potential to destroy the neighborhood aesthetics on a highly visible area of 31st Street, we would like to keep the neighborhood environment intact.

[Signature]
Signature

JOHN DAVID MYERS
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, drredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

RECEIVED

DEC - 6 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: November 23, 2016

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

J&B HOLDINGS, LTD

November 30, 2016

Ms. Dessie Redmond
City of Temple Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501

Re: Zoning Application Number Z-FY-17-03

Ms. Redmond:

J&B Holdings, LTD ("J&B Holdings"), disagrees and objects to the above referenced General Retail ("GR") zoning application.

The applicant's property is directly across 31st Street from our NS zoned and nearby SF1 residential zoned properties (see attached photographic depiction).

When our property was developed as *Bentwood Addition*, the Developer requested GR zoning for 31st Street frontage, however the City opposed GR due to the "residential nature of the area". Zoning was finally approved Neighborhood Services ("PD-NS"), with "convenience stores with gasoline sales" prohibited (see attached Ordinance 2001-2790 and staff briefing paper). Such facilities are permitted in GR and Commercial ("C") zones.

Summarizing, J&B Holdings opposes and strongly urges denial of this application for GR zoning (and if amended to C). GR and C zoning is inconsistent with surrounding NS and Residential zoning (and uses). It also conflicts with Temple's Comprehensive Plan.

A self-storage facility in this location would be undesirable, would not "fit in" with existing development, and would substantially devalue neighboring properties.

Respectfully,

J&B Properties, LTD



James I. Howe, President

Digitally signed by James I. Howe
DN: cn=James I. Howe, o, ou,
email=jim.howe@belfairdev.com, c=US
Date: 2016.12.01 12:42:54 -06'00'

Encl: Area Photographic Maps

Returned Property Owner Notices - Within 200' Buffer Area - Howe, continued





RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

HEAD, SUSAN GAIL
5621 S 31ST ST
TEMPLE, TX 76502-3525

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: 5785 South 31st Street, Temple, Texas

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:

*This is not the best use for this property. Mini
warehouses will bring higher traffic. Bright sites
club, a link fencing & ad abuser, land lord who does not
care about Temple. I also feel it will cause a
higher rate of crime.*

Susan G Head
Signature

SUSAN G Head
Print Name

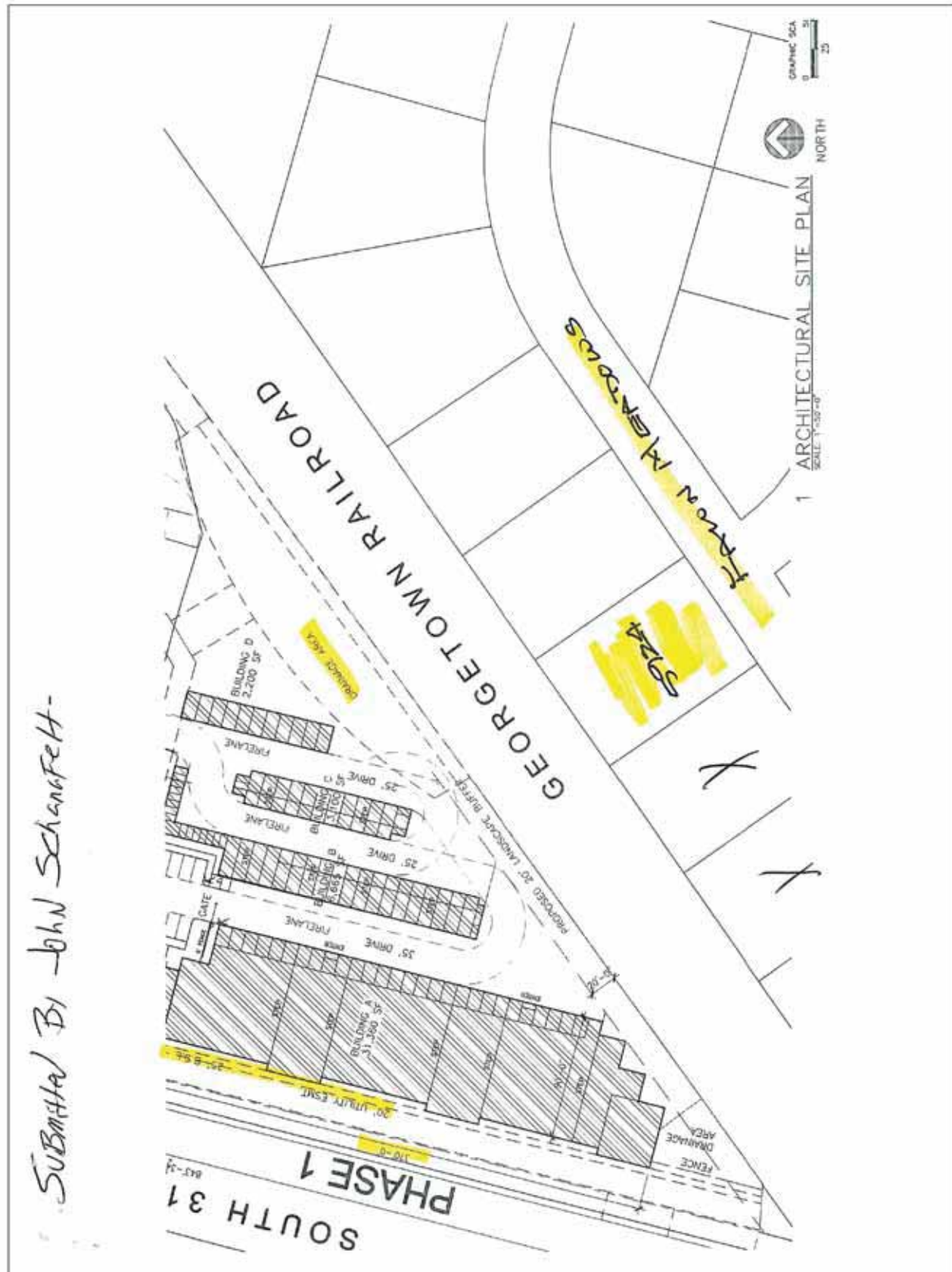
If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **December 6, 2016**.

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

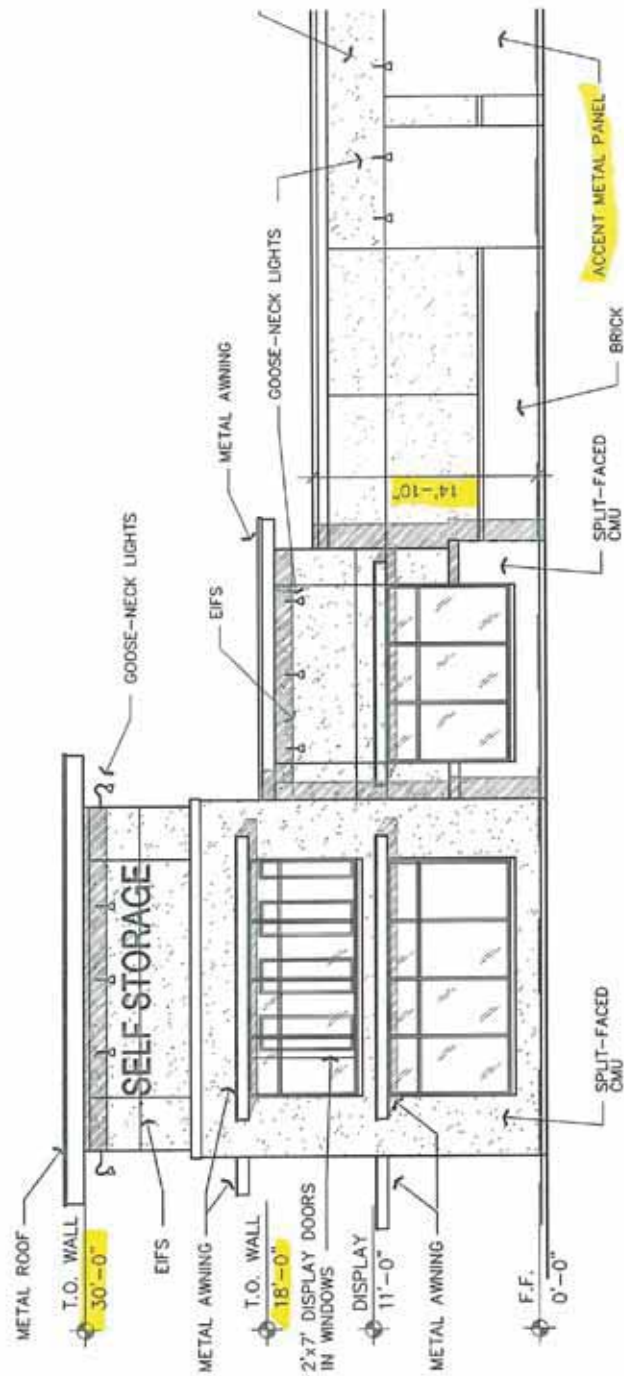
Number of Notices Mailed: 25

Date Mailed: November 23, 2016

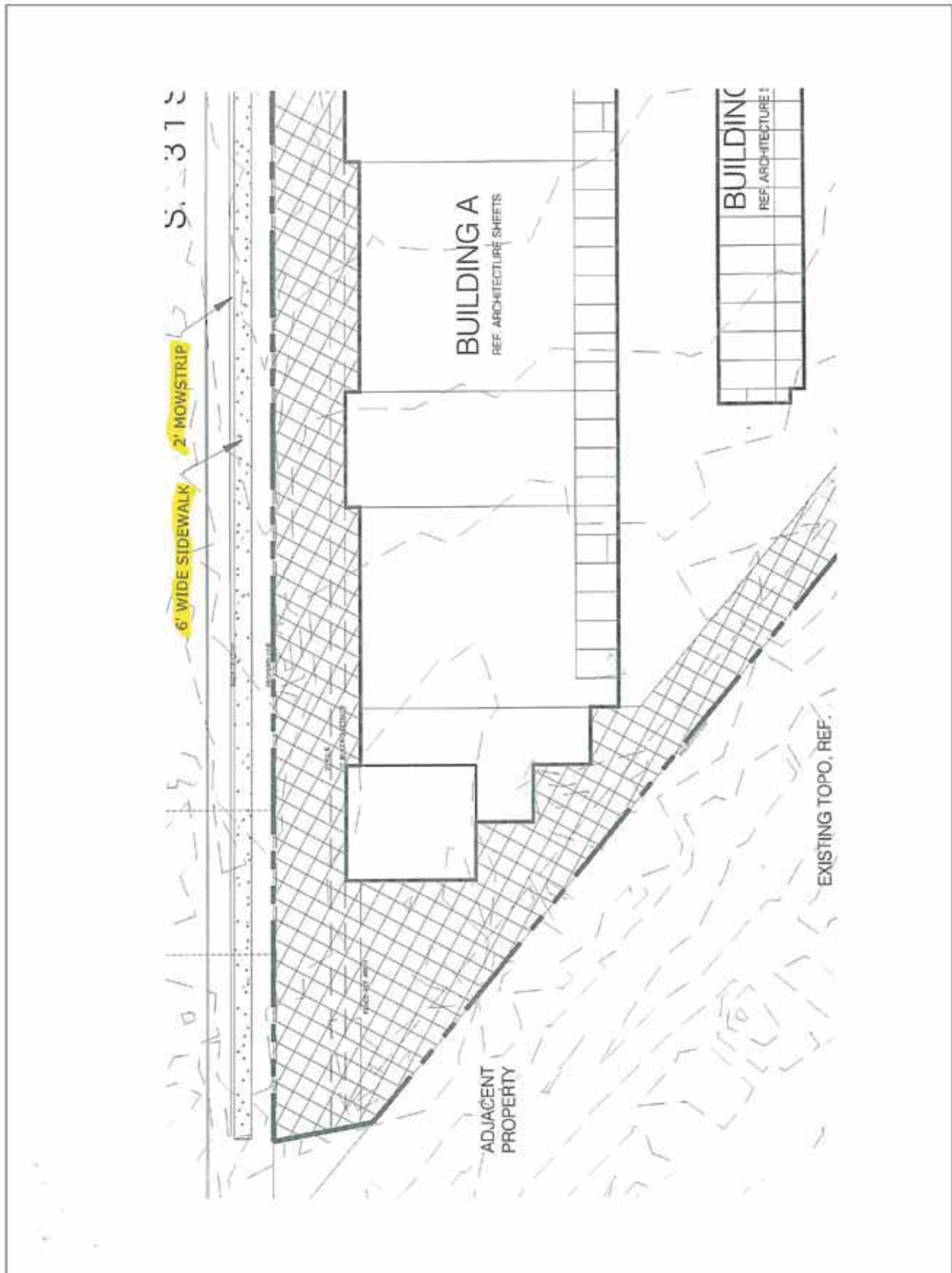
OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



Returned Property Owner Notices - Within 200' Buffer Area -
Schanafelt, continued



Returned Property Owner Notices - Within 200' Buffer Area -
Schanafelt, continued



Returned Property Owner Notices - Within 200' Buffer Area - Bergstrom

Response to Proposed Rezoning Request

Zoning Application Number: Z-FY-17-03

Property Location: 5785 South 31st Street, Temple TX

We strongly appose the rezoning of the 7.35+ acres located at 5785 S 31st Street. In 1997 the City Council had a land use study done to help them make decisions on requests by landowners for rezoning on the South 31st Street corridor. The land use plan presented and adapted at that time was for Residential and Office II. All development on South 31st street since 1997 has held to the approved land use plan. If the city council approves this request, then the "spot zoning" is starting all over again and the approved land use plan is ignored. No other storage facilities in Temple are located in the middle of a primarily residential area. As homeowners we do not want to share our backyard with a storage facility.

Thank You,
Gary and Gayle Bergstrom
5627 South 31st Street

Public Comment - Outside of the 200' Buffer Area - Bentwood
Professional Property Owners Association

BENTWOOD PROFESSIONAL PROPERTY OWNERS ASSOCIATION

2566 Blue Meadow Drive

Temple, TX 76502

12-01-2016

On behalf of the Bentwood Professional Property Owners Association, I would like to express my disagreement with the proposed rezoning request number Z-FY-17-03.

The Bentwood Professional Property Owners Association is comprised of six offices located directly across the street from the proposed rezoning site. The office park, and the individual offices, were developed with great insight from the City of Temple, its P&Z board, and community input. As a result, you have a model office park this community can be proud of.

South 31st street, from FM 93, is a gateway into our community. The City as well as developers has been very conscious of the development of this gateway. The proposed zoning change, in our opinion, would deter from the gateway both now and in the future.

We would greatly appreciate the P&Z Commission declining this request for rezoning.

Respectfully Submitted,

Marty Kent
President
Bentwood Professional Property Owners Association



Public Comment - Outside of the 200' Buffer Area - Burrows,
Deerfield Estates

Submitted By Tex Burrows -

Deerfield Estates Petition to Temple Planning and Zoning Commission

December 5, 2016

Planning and Zoning Commission
City of Temple
Suite 206
Municipal Building
2 North Main Street
Temple, Texas 76501

Re: Case # Z-FY-17-03

Dear Commission Members,

As a representative of the residents of Deerfield Estates I respectfully oppose the rezoning of the 7.69 acres adjacent to and north of Deerfield Estates. Working on short notice I have not had time to petition all the residents of Deerfield, but we will present the City Council our petition when they meet on January 5, 2017.

The City of Temple in their master planning approved the current zoning, Neighborhood Services, to control the undesirable effects of no zoning and/or the less restrictive zoning of General Retail. Our neighborhood as well as other neighborhoods will be adversely affected by rezoning this land to General Retail.

The City Council recently voted not to change the zoning for three acres of land to the south of Deerfield Estates from Neighborhood Services to General Retail for the same reasons we are opposed to changing the zoning on this land.

Reasons we oppose rezoning this land include but are not necessarily limited to:

- General Retail is not appropriate for this area. The current zoning is appropriate.
- The residential neighborhood quality of the surrounding neighborhoods should be maintained.
- This portion of S. 31st. is busy now and has a speed limit of 50 MPH. Adding additional traffic will increase the risk of accidents.
- A Mini Storage operation will be lighted all night thus contributing to Light pollution.

Please contact me should you have any questions.

Respectfully submitted,

Tex Burrows

Tex Burrows
Board of Governors
Deerfield Estates

Public Comment - Outside of the 200' Buffer Area - Burrows,
Creeks at Deerfield

SUBHAK B. TEX Burrows - CITIZEN -

Creeks at Deerfield/Temple Planning and Zoning Commission

December 5, 2016

Planning and Zoning Commission
City of Temple
Suite 206
Municipal Building
2 North Main Street
Temple, Texas 76501

Re: Case # Z-FY-17-03

Dear Commission Members:

We, the undersigned residents of the Creeks at Deerfield, respectfully oppose the rezoning proposed pursuant to case #Z-FY-17-03. Other residents likely oppose the rezoning, but on short notice we have not been able to obtain everyone's signatures.

Our understanding is that the proposed rezoning would allow the construction of a mini-storage facility. We believe this would be inappropriate for at least the following reasons.

First, the vast majority of the surrounding properties are residential. The surrounding properties include Timber Ridge, the Slough Road, Bentwood, Deerfield, the Creeks at Deerfield and D'Antoni's Crossing. The residential character of the area should be maintained.

Second, Thirty-First Street is already quite busy with a speed limit of 50 m.p.h. Traffic entering and exiting a mini-storage facility would often be slowly moving and heavily laden, increasing the probability of accidents.

Third, a mini-storage facility would be lighted 24 hours a day. The lights would disturb our neighbors in Deerfield whose properties back up to the subject property.

Please feel free to contact us if we can be of further assistance and thank you for your efforts in making sure our city is properly zoned.

Sincerely,

Public Comment - Outside of the 200' Buffer Area - Burrows,
Creeks at Deerfield, continued

Creeks at Deerfield/Temple Planning and Zoning Commission

SIGNATURE PRINTED NAME	ADDRESS	PHONE NUMBER
Mildred Droecker	1915 Deerfield Dr.	541-9910
Janet Lockwood	1912 DEERFIELD	774-8489
David Lockwood	" "	"
Gene RACH	1812 DEERFIELD	721-6222
Mary Jane RACH	1812 DEERFIELD	721-0017
TED EDENS	2002 MONTSCOTIA LN	254 899 1525
Donna Edens	2002 Montscotia Ln.	899-1525
Gerald Wagner	2008 Montscotia Ln	742-2486
Sharon J Wagner	2008 Montscotia Lane	742-2486
CH T W	2012 MONTSCOTIA LN	713 878-4864
Curtis Miles	2022 Friest Grove Dr.	254-718-4751
John Foster	2017 MONTSCOTIA LN	251-291-4497
John Foster	2017 MONTSCOTIA LN	251-291-4497
SKD	2008 Chamberlain Ln	251 843 297 6196
Carol Chamberlain	2003 Chamberlain Ln	760-3713
Nathan Jewel	1920 Deerfield Dr	773 456 9051
Ronald L. Moore	1923 Deerfield	541-8724
Pamela Mathews	1923 Deerfield	(254) 624 5177

Public Comment - Outside of the 200' Buffer Area - Burrows,
Creeks at Deerfield, continued

Creeks at Deerfield/Temple Planning and Zoning Commission

SIGNATURE PRINTED NAME	ADDRESS	PHONE NUMBER
DIANN PAWELEK Diann Pawelek	1928 Deerfield Temple Tx	254/778-0076
Melissa Ali MARK CONSTANCE and Ben	6111 Shadow Creek Cv Temple TX TEMPLE TX 6111 SHADOW CREEK CV	254-644-2402 254-913-8327
John G. Schuchmann John A. Schuchmann Linda Schuchmann Linda Schuchmann	2028 Deerfield Dr Temple, TX 2028 Deerfield Dr. Temple, TX	254-779-9157 254-774-9157
Casalen Rosa John Parson Helen, Maister Melodie G. Webster Melodie Webster Allen Webster	6107 Wooded Creek Cove Temple, TX 6111 Wooded Creek Cove, Temple 6115 Wooded Creek Cv 6115 WOODED CREEK CO	254-598-2193 254 773-9646 254-410-7545 254-416-7545
LEONAR KLANRUD	6209 Wooded Creek Cove	254-778-8530
Anna Martin	6212 Wooded Creek Cove	254-778-1195
Kurt + SCHWARTZ	6114 Wooded Creek Cove.	(347) 724-6660.
Hania Zapata	6114 Wooded Creek Cv	(347) 210-0847
Vanessa Yauri	6110 Wooded Creek Cv.	404-3564-9672
Natalie Hudle	6014 Wooded Creek Cv	978-250-1014
John Hudle	6014 Wooded Creek Cv.	512-619-2401
Debra Brockway	6010 Wooded Creek Cv	254-778-0808
James Brockway	6010 Wooded Creek Cv	254-778-0808
Madhava Duran	6007 Wooded Creek Cv	254-899-2047
Shawn Duran	6007 Wooded Creek Cv.	254-899-2047

Public Comment - Outside of the 200' Buffer Area - Schuchmann

Dessie Redmond

From: John Schuchmann <jschuchmann@msn.com>
Sent: Wednesday, February 01, 2017 8:29 PM
To: Dessie Redmond
Subject: Information for P&Z Meeting on Feb 6th concerning Z-FY-17-03

Dear Ms. Redmond,

Thank you for the helpful information concerning the rezoning of the above property on 31st Street. I have shared this with a good number of residents in our direct neighborhood and all are quite enthusiastic about the possibility of developing a walk/jog/bike trail on the abandoned rail line from 31st St to 5th St. while also developing a playground for children on the 31st Street property while preserving as many wildflowers as possible on this site.

At this time, we recommend not changing the zoning but recommend that the City of Temple fully evaluate our proposal and strongly consider implementing it to help enhance the fitness and well being of our adults and children.

Thanks,
John A. Schuchmann, M.D.

PROPOSAL TO CONSIDER ALTERNATE USE OF LAND ON 31st STREET IN TEMPLE:
AN OPPORTUNITY TAKEN OR FOREVER MISSED
Land in Question Z-FY17-03 - 7+ acres

CURRENT SITUATION AND RECOMMENDATION:

1. The above plot of land is located on the **east side of 31st Street just north of the abandoned Temple-Belton Railroad line**. A request has been made to change zoning of this piece of land to allow commercial development.
2. It is recommended that the **zoning not be changed on this land**, as this land, **if developed properly**, has the potential to become a **major asset** to the City of Temple, its residents as well as others from surrounding areas.

FACTS ABOUT TEMPLE:

1. Many people enter and leave Temple via Highway 93, then turning onto south 31st Street. They pass the land to get to their destinations.
2. They come to work, to shop, to frequent our restaurants and other businesses
3. They come for their or their family medical and hospital needs
4. 31st Street for many is the **Gateway to Temple**
5. Many **new housing developments** are being built in south Temple along **south 31st Street, Hartrick Bluff, 5th Street and along Highway 93**.

FACTS ABOUT THE LAND UNDER CONSIDERATION:

The above piece of property has a number of **unique features**:

Public Comment - Outside of the 200' Buffer Area - Schuchmann, continued

1. This land is the site of **spectacular displays of wildflowers** in the spring. Many people come for family pictures, pictures of the kids or the family pets, wedding pictures and even just to enjoy the flowers.
2. This land also has a **unique and very valuable location** adjacent to the abandoned Belton-Temple Railroad Line.
3. This piece of land could be used in **several very beneficial ways** to enhance our city for children and adults alike (as described below).

FACTS ABOUT THE HEALTH OF TEXANS:

Not all Texans are the picture of health as noted by the following statistics:

1. The incidence of Obesity is rising in our state. In 1990, 10.7% of Texan were obese. In 2000- 21.7%. In 2016- 32.4%
2. 11.4% (1.962 million Texans) suffer from Diabetes
3. 29.5% (4.3 million Texans) have Hypertension
4. 1,261,654 of Texans have some form of Heart Disease
5. 4,426,828 Texans have some type of Arthritis
6. It is estimated that 328,379 (20%) of **Cancers are obesity-related**. (These cancers include- breast in post-menopausal females, endometrial, colon, rectal, kidney, prostate, possibly pancreatic.)

HEALTH ENHANCEMENT:

A number of measures can be recommended to enhance the health of our residents- proper diet, appropriate use of medications, avoidance of drugs, tobacco and excess alcohol but one of the most important measures of all is **obtaining regular exercise** for children as well as adults of all ages.

WHAT CAN WE DO TO ENHANCE THE HEALTH OF OUR RESIDENTS?

1. Currently, Temple and Belton have a number of **walk/jog/bike trails** such as the **Pepper Creek Trail in west Temple** and **Confederate Park in Belton**. People living in these areas frequently use these trails as safe ways to regularly exercise to enhance their health and well-being.
2. **South Temple** is now steadily growing with much more growth planned for the future. South Temple suffers from a **lack of appropriate sidewalks and trails (as well as park space for our children)**. It is difficult and often hazardous for our residents and especially our children to get outdoors for adequate amounts of regular exercise and activity.
3. The **abandoned Belton-Temple Railroad line** provides an excellent location for developing a **multi-use walk/jog/bike trail**. The rail line is not in suitable condition for trains and would require major redevelopment to allow railroad use again. The railroad bed is relatively flat and could be developed into a very attractive and useful rail to trail. The railroad from 31st Street east to 5th Street passes quite close to many areas that are now and will in the future be used for residential development. The abandoned railroad line is quite scenic and will allow a safe trail for exercise and activity for children as well as adults. **At this time, it is recommended that a multi-use (walk/jog/bike) rail-to-trail be developed between 31st Street and 5th Street.**
4. A **trailhead with parking for 10-20 cars** should be developed on the **31st Street site** (along with **bathroom facilities** and source of drinking water.) A **playground for children** should be developed at this site. Consideration should be given to enlisting a civic organization in the planning and development of this parkland.
5. Another smaller trailhead with several spaces for parking should be developed where the trail crosses **Hartrick Bluff** so that residents in that area can easily access the trail. A sidewalk should be considered from the new developments on Hartrick Bluff to the trailhead to facilitate trail access.
6. The trail should also have a trailhead with bathroom and water availability at the **Lion's Junction Park area**- a site where ample parking already exists.

Public Comment - Outside of the 200' Buffer Area -
Schuchmann, continued

7. **Additional sidewalks should be completed along 31st Street** to allow residents a safe pathway to walk or ride bikes to the trail. A suitable sidewalk now exists adjacent to the D'Antonio's Crossing subdivision but unfortunately this does not connect to any other sidewalks or to the proposed trail.

WHY THIS PROPERTY ON 31st STREET?

Having the major trailhead, parking and a playground for children on the 31st Street property will have many benefits for our city as well as our residents and especially our children:

1. Such a facility will place a **playground** and **developed trail** in a busy and growing part of our city. Obtaining safe exercise and outdoor activity will be much easier for residents in the new neighborhoods developing in south Temple.
2. The location of the major trailhead on the 31st Street site will allow exposure to many residents, neighbors and visitors to Temple and will convey that **we care about the health and well-being of our residents.**
3. The trailhead and playground on 31st Street will not need all of the space on the 31st Street location. It is recommended that other portions of the site be developed as a **Gateway to Temple** with a **"Welcome to Temple"** emphasis as well as maintaining as much of the **spring wildflower display** as possible. The wildflower display should continue to draw people and should also provide a **positive impression** as they enter Temple. Many should be intrigued with the facility and choose to visit it frequently.
4. **Why not elsewhere?** This site is a perfect location with the abandoned railroad being a great site for a multiuse trail, the land's history as a location of abundant wildflowers, and the location where this could be developed into a beautiful and functional "Gateway to Temple."
5. **It would be a shame to miss such an opportunity to enhance our community and its well being.**

2/1/2017

Developed in the interest of a healthier Temple,

John Schuchmann, M.D.
Retired Scott and White Physical Medicine and Rehabilitation Physician
2028 Deerfield Drive
Temple, TX 76502
Home phone – 774-9157
e-mail- jschuchmann@msn.com

Applicant's Repsone to Property Owner Comments Outside the
200' Buffer Area

Dessie Redmond

From: Donald Jones <djones@donaldjonesconsulting.com>
Sent: Thursday, February 02, 2017 9:02 AM
To: jschuchmann@msn.com
Subject: 31st street Development

Dessie with the City Staff sent me the letter that would be delivered to P&Z for Monday's meeting.

I appreciate your comments and what the residents and you desire. I assure you I have listened and understand.

What is not written in your letter is the following:

- 1) Who is going to pay for the 7 acres? The seller wants to sell now. He doesn't want to wait for a referendum to sell.
- 2) Is this a proposal encouraging the city of Temple to pay for the land, pay for the park, pay for upgrades and improvements and maintenance in addition to the hike and bike trail that is a desire by the city but not even planned or budgeted?

I have seen this hundreds of times where residents want to dictate what happens with development, but the reality is - the seller has the right to sell and the developer has a right to develop. We have bent over backwards to do everything possible for the residents.

I would offer up one thing on behalf to the residents and the HOA. If your group wanted to reimburse my developer for all of his expenses and then close on the land, we could consider walking away and looking for another site. Then the HOA could donate the 7 acres to the city and that might encourage them to build the park you want

Beyond this, I will attend the meeting on Monday evening and will continue to move our agenda forward.

Feel free to call me if you would like to chat.

Regards,

Donald Jones
Cell - 817-456-4658

www.DonaldJonesConsulting.com

Dessie Redmond

From: LisaGo&LucasWong <zoezettemarc@gmail.com>
Sent: Monday, February 06, 2017 12:26 PM
To: Dessie Redmond
Subject: Z-FY-17-03 Comments for P&Z Feb 6 2017 meetings

Dear Ms Dessie Redmond,

1. Thank you for your email. Thank you for allowing me to post comments for the Z-FY-17-03.

2. In reviewing the plan schematic and the Preliminary Storm Water Drainage / Detention Study Project No. 2837.00 TBPE Firm Registration No. F-4512, I have concerns that the Z-FY-17-03 plan does not fully address the possibility of 25, 50, or 100 hydrograph report Time to Peak and Hydrovolume as stated in Page 3 of each of the studies. I understand that the proposal exceeds the percentage required by UDC and the developer is hedging their bets by proposing that 39% of the land will be landscaped with ground cover with a mix of native and non-native.

We have been living here since 2000 and live close to Z-FY-17-03. With the increasing development and the unseasonal heavy rains and 100 year storms throughout the last 16 years, we have had to increase to a 51% landscaping with native ground cover to avoid any excessive water runoff to our neighbors' yards that surround our property. We have tried non-native vegetation. Unfortunately non-native vegetation did not work in slowing down water run-off, which is why we had to switch to native plants and native plant landscaping.

3. My vote would be against Z-FY-17-03 and to be build something else that the neighborhood needs that doesn't require a zoning change and would fully address the possibility of 25, 50, or 100 hydrograph report Time to Peak and Hydrovolume as stated in Page 3 of each of the studies. If we build this storage facility, there will always be a concern about the water run-off accumulating quickly, the possibility of damaging backyard property of the homes adjacent to Z-FY-17-03, and the possibility of reducing property home values in the Deerfield subdivision.

We already have several storage facilities close by us, Big Red Barn on HWY 93, Amy Attic Storage 4800 S 31st St, Temple, TX 76502, Move it Self Storage -2708 S 39th St, Temple, TX 76504, and Storage solutions 1119 Canyon Creek Dr, Temple, TX 76502.

Public Comment - Outside of the 200' Buffer Area - Go,
continued

4. What our neighborhood needs is a park with a walking/biking nature trail which connects to South Temple Community Park via the old railroad track, a bakery/coffee house/sandwich shop attached to an art gallery with educational rooms that could conduct nature trail educational activities and host art classes for moms to drop off children and elder adults to channel their inner artistic abilities. The site is a known, very popular self seeding wildflower site. We could easily build it within our Neighborhood Service Zoning. We could build it and still conserve the wildflowers by using sustainable building practices as promoted by University of Texas – Austin with a rain water collection facility.

5. There is always a concern that these business start-ups will not survive. We could focus the food business on drive through/take out and use the runoff areas for landscape painting inspiration and parking when the flowers are not in season.

Reviewing the competition for similar business, our nearest commercial bakeries and coffee houses are all around Scott and White and can be hard to get to because of traffic. We don't have a nature center in Temple. Our nearest art studios for classes are in North Temple at the Cultural Center of the Arts and in Belton at the Art Place. The nearest Nature Center is Miller Springs in Belton.

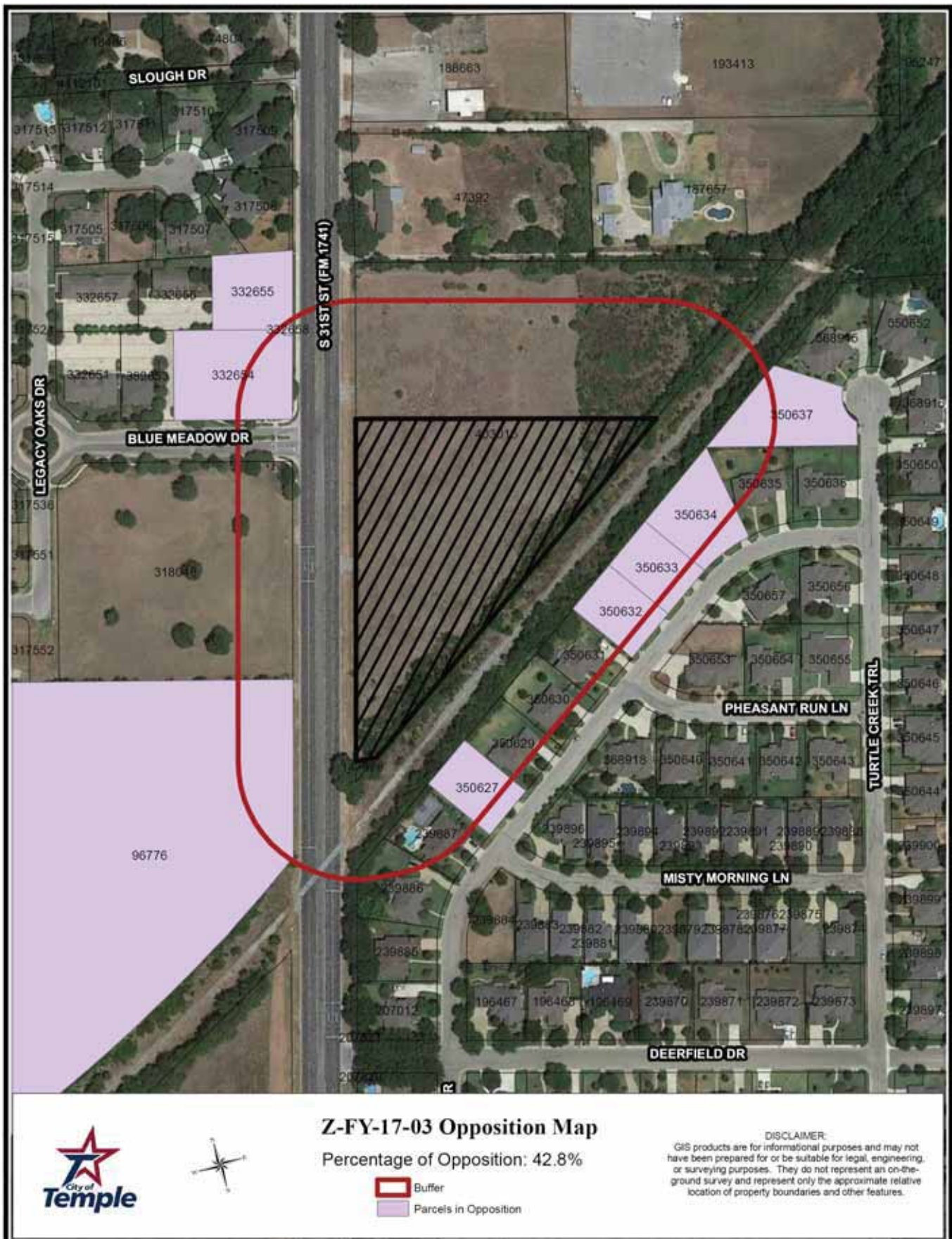
Also Foot Traffic to the site would increase if the railroad track can be used as a walking path connecting the two parks.

6. My suggestion to the developer would be to donate the site the city for a park and reaping a tax donation or develop the site with the understanding from the City of Temple that this parcel of land will be connected to South Temple Community Park via the old railroad track- path to increase foot traffic to make the businesses sustainable.

Thank you again for your time and consideration,

Lisa Go

Opposition Area (reduced scope)





RESPONSE TO PROPOSED
AMENDED REZONING REQUEST
CITY OF TEMPLE

ALLIS, LARRY C ETUX MARGUERITE E
5912 FAWN MEADOWS DR
TEMPLE, TX 76502-7936

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

The amended rezoning request is the area shown in hatched marking on the attached Notification Map. Also included in this mailing is the Old Site/Development Plan and the New Site/Development Plan. The New Site/Development Plan reflects a reduced scope to the rezoning request. 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:

THIS IS NOTHING MORE THAN A "TEMPORARY" REDUCTION IN SCOPE.
THERE IS STILL NO DETAILED STORMWATER MANAGEMENT PLAN. ALSO IT
CHANGES NOTHING AS TO WHETHER THIS IS THE RIGHT LOCATION FOR A
STORAGE FACILITY. IN MY OPINION IT IS NOT!

L C Allis
Signature

LARRY C. ALLIS
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Farmers Mutual Protective Association of Texas



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

FARMERS MUTUAL PROTECTIVE ASSOCIATION OF TEXAS
PO BOX 6106
TEMPLE, TX 76503-6106

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

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I ☒ agree

() disagree with this request

Comments:

RVO's Farm Mutual
James E. Smith
Signature

JAMES E Smith 3/16/2017
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

RECEIVED

MAR 20 2017

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Fossum



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

FOSSUM, RICHARD F
2000 RIVER RANCH RD
TEMPLE, TX 76504-4239

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

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I ☐ agree

☒ disagree with this request

Comments:

Signature

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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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



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

HEBERT, JAMES E ETUX BEVERLY
5920 FAWN MEADOWS DR
TEMPLE, TX 76502-7936

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

The amended rezoning request is the area shown in hatched marking on the attached Notification Map. Also included in this mailing is the Old Site/Development Plan and the New Site/Development Plan. The New Site/Development Plan reflects a reduced scope to the rezoning request. 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

☒ (X) disagree with this request

Comments:

*This is another entry into the city of Temple. Don't
trash it up with this facility. Further this
facility will greatly reduce the sale value of our homes
and also degrade the whole Deerfield Subdivision. In time
the taxable base will be reduced. Please do not rezoning this
area*

J. E. Hebert
Signature

J. E. Hebert
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

RECEIVED

MAR 22 2017

City of Temple
Planning & Development
March 13, 2017

Number of Notices Mailed: 25

Date Mailed:

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Kiella



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

KIELLA FAMILY LTD
PO BOX 1344
TEMPLE, TX 76503-1344

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

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I ☐ agree

☒ disagree with this request

Comments:

NS IS The Current Zoning on property That
is what it should be! We were only Allowed
NS across Street NO MINI Warehouses


Signature

John Kiella
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Moltenberry



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

MOLTENBERRY, JOHN & TERESA
5916 FAWN MEADOWS DR
TEMPLE, TX 76502-7936

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

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I ☐ agree

☒ disagree with this request

Comments:

This would be in my backyard!
It could affect property values.

John Moltenberry
Signature

Teresa Moltenberry
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

RECEIVED

MAR 22 2017

City of Temple
Planning & Development
March 13, 2017

Number of Notices Mailed: 25

Date Mailed:

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Nix

From: NIXD01@nationwide.com
Sent: Friday, March 17, 2017 9:30 AM
To: Dessie Redmond; Tim Davis
Subject: Danny DunnExternal; Perry CloudExternal; Tim Davis; 2545341472@txt.att.net
Attachments: Z-FY-17-03 Portion of 5785 South 31st
Scanned from a Xerox Multifunction Device.pdf

Dessie,

I'm again writing to voice my disagreement with changing the zoning on the above referenced property. As stated earlier, the property, in my opinion, and apparently many others, is properly zoned at the present time. I have copied Mayor Dunn, Councilman Cloud, Councilman Davis, and Councilman Pilkington.

South 31st is a key corridor to entering Temple. I'm sure you know how many folks use this street travelling from I-35 exit 11b to go to Scott & White, shopping, businesses and homes. The City has done a great job of making that entry a pleasing one to our guests as well as to our residents. It has a good mix of residential and office. While the developer is proposing a "very nice" mini-warehouse complex, it is, nonetheless, a mini-warehouse. That does not fit the current zoning, and I see no reason to make an exception.

There have been many issues brought up in the hearings I have attended. Bluebonnets, drainage, etc. To me, this is not an issue of Bluebonnets (although I have certainly enjoyed them for years). It is also not a drainage issue. The drainage problem already exists, and will no doubt get worse with any type of development of the site. The City and the property owner will someday need to address that. The issue here is that someone wants to change the zoning to meet their business needs. Those business needs are at odds with the City zoning, and they are at odds with the wishes of the citizens and property owners in our area.

You will find that RVOS insurance bought this particular piece of property with the intention of building their office there. They bought it with plans to fit in with the current zoning. Due to some changes in their business plan, they decided to just remodel their existing building (a project that the City participated in substantially through TEDC.) I sympathize with RVOS, but they certainly bought the property knowing how it was zoned. I feel certain that as things continue along this section of South 31st, they will be able to sell their property if they so choose to someone willing to develop it as intended.

Thanks,
David Nix



Nationwide®
is on your side

David Nix, CIC
President
The David Nix Agency
W 254-770-3355
nixd01@nationwide.com

Securities offered through Nationwide Securities, LLC., member FINRA, SIPC. DBA Nationwide Advisory Services, LLC. in AR, CA, FL, IL, NY, TX and WY. Representative of Nationwide Life Insurance Company, affiliated companies and other companies.

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Nix, continued



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

NIX, JOHN DAVID
2526 BLUE MEADOW DR
TEMPLE, TX 76502-7924

THE DAVID NIX MESSING

MAR 16 2017

RECEIVED

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

The amended rezoning request is the area shown in hatched marking on the attached Notification Map. Also included in this mailing is the Old Site/Development Plan and the New Site/Development Plan. The New Site/Development Plan reflects a reduced scope to the rezoning request. 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:

Still strongly disagree with changing the zoning
on this property. Property is properly zoned currently,
while the amendment lessens the scope, it is still a
mini-warehouse. Not acceptable.

David Nix

Signature

David Nix

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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Raub



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

RAUB, JOSEPH R ETUX SYLVIA SIMOUNET
~~2122 BIRDCREEK DR~~
TEMPLE, TX 76502-1020

5808 Turtle Creek Trl.

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

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I () agree

(X) disagree with this request

Comments:

Why doesn't Temple (The Wildflower Capital of Texas) buy the land from the owner, & continue maintaining the wildflowers in their natural state so the citizens of Temple & adjacent towns can enjoy it?

[Signature]
Signature

Joseph R Raub, Sr.
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, drredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - Richter



RESPONSE TO PROPOSED
AMENDED REZONING REQUEST
CITY OF TEMPLE

RICHTER, JESSICA ETVIR RENE
5936 FAWN MEADOWS DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

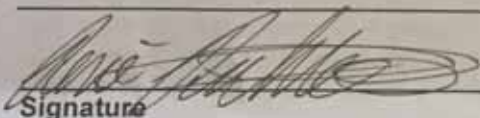
The amended rezoning request is the area shown in hatched marking on the attached Notification Map. Also included in this mailing is the Old Site/Development Plan and the New Site/Development Plan. The New Site/Development Plan reflects a reduced scope to the rezoning request. Because you own property 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:

I still do not want storage units in my backyard.


Signature

Rene Richter
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, drredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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

Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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

Returned Property Owner Notices (reduced scope) - Within 200'
Buffer Area - WGR Development LLC



RESPONSE TO PROPOSED
AMENDED REZONING REQUEST
CITY OF TEMPLE

WGR DEVELOPMENT LLC
PO BOX 975
SALADO, TX 76571-0975

Zoning Application Number: Z-FY-17-03

Case Manager: Dessie Redmond

Location: A Portion of 5785 South 31st Street, Temple, Texas

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I ☐ agree

☒ disagree with this request

Comments:

THE CITY OF TEMPLE AND BELL COUNTY HAVE
ENOUGH MINI-STORAGE FACILITIES. THIS PROJECT WILL
ONLY HOLD PROPERTY VALUE.

Grady Ross
Signature

Grady Ross
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, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **March 27, 2017**.

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



Number of Notices Mailed: 25

Date Mailed: March 13, 2017

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

Public Comment - (reduced scope) - Outside of the 200' Buffer
Area - Go, continued

Dessie Redmond

From: LisaGo&LucasWong <zoezette@marc@gmail.com>
Sent: Thursday, March 02, 2017 1:57 PM
To: Dessie Redmond; Mary Ann Everett
Subject: Fwd: Z-FY-17-03 Comments for P&Z Feb 6 2017 meetings

Dear Ms Redmond,

1. Mrs. Mary Ann Everitt informed me of the Miller Springs Nature Center experience.
2. I am forwarding you my response.
3. I am sorry I was not clear. I felt that we should include an office for police presence within the Nature Center. I think the railroad track needs to be monitored and the two ends (5 st and 31 st) should have a place for police presence. 5 st has the fire station with a police car there. There is no place for the police on south 31 st. When I drive daily on south 31 st, the police has to park their car at the Palermo Parkway circle Guard house in full view or in the entrance of the other subdivisions.

If we have Nature Center/Art/Education Center with a rain collection system which included a police office, place for police to eat at the bakery, a place for police to go the bathroom, a place for police to relax and do paperwork we could increase security at the South End of 31 st and diffuse the cost by having a multi-use building supported by multiple income streams.

When I think about the development for storage space, I am not sure it solves the local areas problems of water run-off, and need for police patrolling, and the need for. While a storage space is just one income stream, doesn't collect water, increases risk of flooding, doesn't increase police security, and increases possibility of theft by having a collection of concentrated goods in one area by a railroad track that cannot be removed or closed.

Thank you for your time,

Lisa Go

----- Forwarded message -----

From: LisaGo&LucasWong <zoezette@marc@gmail.com>
Date: Thu, Mar 2, 2017 at 1:22 PM
Subject: Re: Z-FY-17-03 Comments for P&Z Feb 6 2017 meetings
To: Mary Ann Everett <everett.maryann4@gmail.com>

1. Thank you for the dialogue and information. This really helps.
2. I understand. I guess I was not clear. I did not want expose the increase of crime we have had in the area with the increase of developments.
3. My vision was use nature center as a home base for the Temple Police too. Right now, I was told that the railroad track has to be kept opened by law for emergency transport and national security.
4. We know people are going up and down the railroad track already. With the building of the storage unit will not stop this. In my opinion, it may increase and maybe a target for theft.

Public Comment - (reduced scope) - Outside of the 200' Buffer
Area - Go, continued

5. So, If we put a nature center with food, parking, and a place for a Temple Police car to park at by 31st and we have a Fire station at the other end- we will be able to effectively monitor, have access to patrol, and option to place a police presence or coordinated neighborhood watch/guard sponsored by the neighborhood homeowners associations.

I will forward these comments to Dessie.

Thank you,
Lisa

On Mon, Feb 27, 2017 at 6:40 AM, Mary Ann Everett <everett.maryann4@gmail.com> wrote:
Just getting around to reading.

We do have a nature center in Temple, Miller Springs Nature Center, 260 acres next to the dam. In Temple city limits.

It is extremely popular, but we pay the price with vandalism, and misuse of the trails by visitors. Our Alliance cannot mitigate any damage nor do we have any authority. It is a jewel for our city, but sadly I don't know what will happen to it.

I love your idea of a nature center on this side of town. Just know that the city is forging ahead on the botanical gardens to be built on I-35.

On Sat, Feb 25, 2017 at 9:33 PM, LisaGo&LucasWong <zoezette@marc@gmail.com> wrote:
My reply

----- Forwarded message -----

From: **LisaGo&LucasWong** <zoezette@marc@gmail.com>

Date: Mon, Feb 6, 2017 at 12:26 PM

Subject: Z-FY-17-03 Comments for P&Z Feb 6 2017 meetings

To: dredmond@templetx.gov

Dear Ms Dessie Redmond,

1. Thank you for your email. Thank you for allowing me to post comments for the Z-FY-17-03.

2. In reviewing the plan schematic and the Preliminary Storm Water Drainage / Detention Study Project No. 2837.00 TBPE Firm Registration No. F-4512, I have concerns that the Z-FY-17-03 plan does not fully address the possibility of 25, 50, or 100 hydrograph report Time to Peak and Hydrovolume as stated in Page 3 of each of the studies. I understand that the proposal exceeds the percentage required by UDC and the developer is hedging their bets by proposing that 39% of the land will be landscaped with ground cover with a mix of native and non-native.

We have been living here since 2000 and live close to Z-FY-17-03. With the increasing development and the unseasonal heavy rains and 100 year storms throughout the last 16 years, we

Public Comment - (reduced scope) - Outside of the 200' Buffer
Area - Go, continued

have to had to increase to a 51% landscaping with native ground cover to avoid any excessive water runoff to our neighbors' yards that surround our property. We have tried non-native vegetation. Unfortunately non-native vegetation did not work in slowing down water run-off, which is why we had to switch to native plants and native plant landscaping.

3. My vote would be against Z-FY-17-03 and to be build something else that the neighborhood needs that doesn't require a zoning change and would fully address the possibility of 25, 50, or 100 hydrograph report Time to Peak and Hydrovolume as stated in Page 3 of each of the studies. If we build this storage facility, there will always be a concern about the water run-off accumulating quickly, the possibility of damaging backyard property of the homes adjacent to Z-FY-17-03, and the possibility of reducing property home values in the Deerfield subdivision.

We already have several storage facilities close by us, Big Red Barn on HWY 93, Amy Attic Storage 4800 S 31st St, Temple, TX 76502, Move it Self Storage -2708 S 39th St, Temple, TX 76504, and Storage solutions 1119 Canyon Creek Dr, Temple, TX 76502.

4. What our neighborhood needs is a park with a walking/biking nature trail which connects to South Temple Community Park via the old railroad track, a bakery/coffee house/sandwich shop attached to an art gallery with educational rooms that could conduct nature trail educational activities and host art classes for moms to drop off children and elder adults to channel their inner artistic abilities. The site is a known, very popular self seeding wildflower site. We could easily build it within our Neighborhood Service Zoning. We could build it and still conserve the wildflowers by using sustainable building practices as promoted by University of Texas – Austin with a rain water collection facility.

5. There is always a concern that these business start-ups will not survive. We could focus the food business on drive through/take out and use the runoff areas for landscape painting inspiration and parking when the flowers are not in season.

Reviewing the competition for similar business, our nearest commercial bakeries and coffee houses are all around Scott and White and can be hard to get to because of traffic. We don't have a nature center in Temple. Our nearest art studios for classes are in North Temple at the Cultural Center of the Arts and in Belton at the Art Place. The nearest Nature Center is Miller Springs in Belton.

Also Foot Traffic to the site would increase if the railroad track can be used as a walking path connecting the two parks.

Public Comment - (reduced scope) - Outside of the 200' Buffer
Area - Go, continued

6. My suggestion to the developer would be to donate the site the city for a park and reaping a tax donation or develop the site with the understanding from the City of Temple that this parcel of land will be connected to South Temple Community Park via the old railroad track- path to increase foot traffic to make the businesses sustainable.

Thank you again for your time and consideration,

Lisa Go

Public Comment - (reduced scope) - Outside of the 200' Buffer
Area - Mares

Dessie Redmond

From: Daniel <dan.norma@sbcglobal.net>
Sent: Friday, March 10, 2017 8:17 PM
To: Dessie Redmond
Subject: Re: Temple Storage update

Thanks for the recent information. It still looks like the drainage issue has not been addressed. I hope the city of Temple looks into putting a drainage pipe under the road on the west side of the railroad tracks. This would really help the drainage problem.

I am very thankful the city of Temple did finally after 6 years install a drainage pipe on the east side of the tracks. However this did not solve the issue of the water flowing over the tracks because of the buildup of soil and the trash folks have been dumping on the west side of the tracks where the old road runs across the tracks.

I am still not convinced this is a good project. I would love for the city of Temple to purchase the property since we are the bluebonnet capital of Texas, this would make a great addition to the parks system.

Thanks again,

Dan Mareš

Sent from my iPad

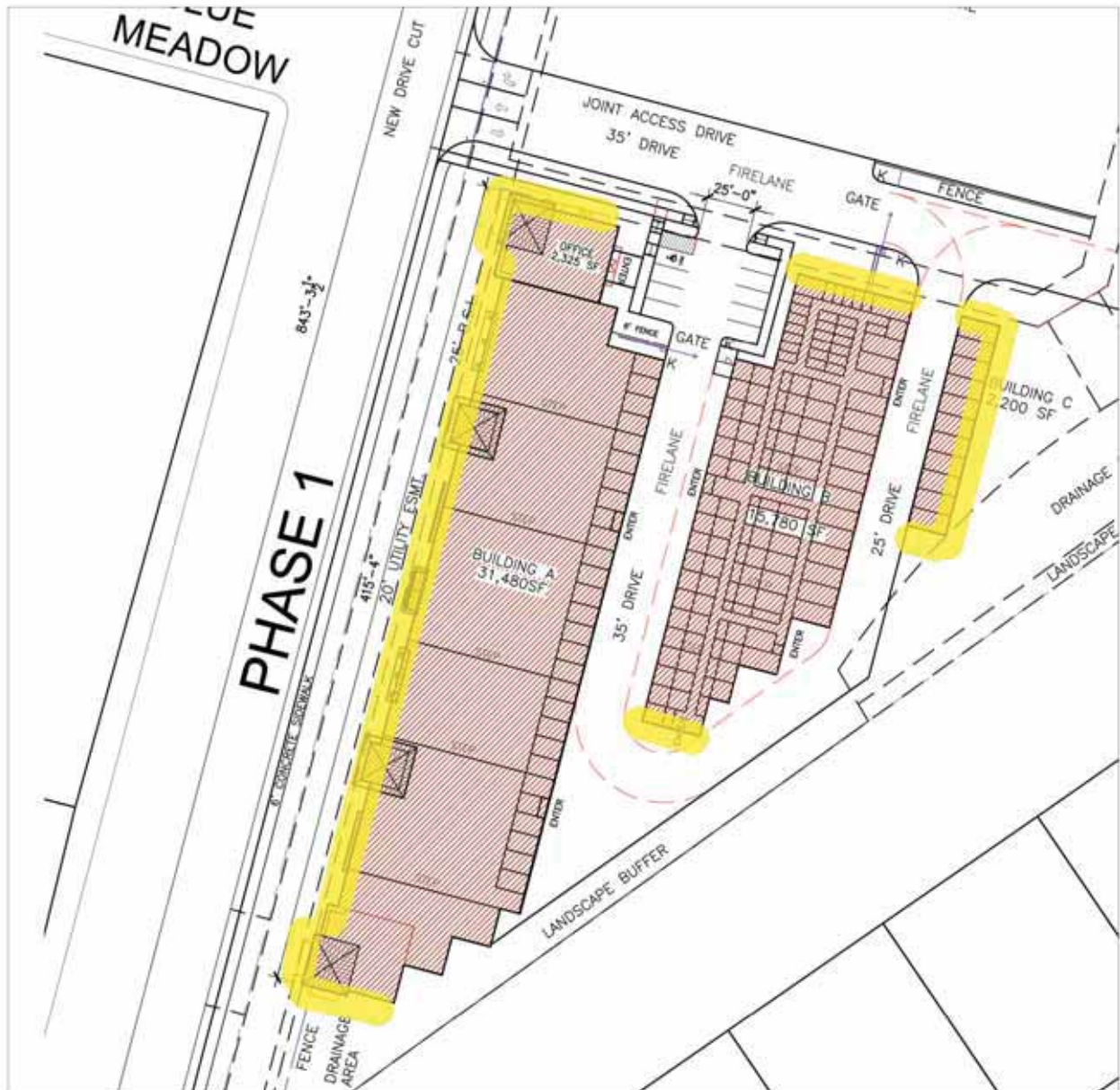
On Mar 8, 2017, at 11:00 AM, Dessie Redmond <dredmond@templetx.gov> wrote:

Good morning Mr. Mares-

I wanted to let you know that the Z-FY-17-03 rezoning request from Neighborhood Services (NS) to Planned Development (PD-NS) will be on the April 6 Council meeting agenda. I have attached the revised submittals for your review. Please let me know if you have any questions.

Thank you,
Dessie E. Redmond, MURP & MLA
City Planner
City of Temple, Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501
254-298-5270
www.templetx.gov/planning

<2017-02-01 Temple Storage Perspective.jpg>
<Z-FY-17-03 Elevations_revised.pdf>
<Z-FY-17-03 Landscape Plans_revised.pdf>
<Z-FY-17-03 Site Plan_revised.pdf>
<Z-FY-17-03 Watershed Map - 100 Scale.pdf>
<Z-FY-17-03 Watershed Map - 200 Scale.pdf>



Outward-Facing Building Facades Graphic related to Condition # 6 which states, "All exterior Outward-facing building facades (as shown in attachment: Outward-Facing Building Facades Graphic) related to the mini-storage buildings shall have exteriors containing a combination of Exterior Insulation Finish Systems (EIFS), split-faced concrete masonry units (CMUs), brick and accent metal panels as shown in the Elevations submittal;"

The yellow highlighted facades are "outward-facing building facades."

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, FEBRUARY 6, 2017**

ACTION ITEMS

Item 2: Z-FY-17-03 - Hold a public hearing to discuss and recommend action on a rezoning from Neighborhood Services (NS) to Planned Development-General Retail (PD-GR) and site/development plan on 7.35 +/- acres, 1-lot, 1-block non-residential subdivision, proposed for a mini-storage facility, located at 5785 South 31st Street, Temple, Texas.

Ms. Dessie Redmond, Planner, showed the location of the subject property and indicated this item is scheduled to go forward to City Council for first reading on March 2, 2017 and second reading on March 16, 2017.

The applicant and property owner is Mr. Wes Jackson, RVOS Farm Mutual Insurance, and Mr. Trey Pike. The subject property is currently vacant and undeveloped and located in the RVOS Subdivision. There are existing drainage easements and the property abuts the Georgetown Railroad. The applicant is requesting a rezoning from Neighborhood Services (NS) to Planned Development General Retail (PD-GR); however, Staff is recommending NS to PD-NS.

At the December 6, 2016 P&Z Commission meeting several topics were covered, including but not limited to:

- Site characteristics, existing easements, constraints to property
- Tree preservation
- Lighting (condition 15 added)
- Several property owners spoke in opposition to the proposal
- P&Z Commission made a motion to continue to February 6, 2017 and directed Staff to facilitate a meeting with the property owners

At the January 18, 2017 Public Meeting held in City Council Chambers at City Hall:

- Staff hosted and facilitated a meeting between applicant and property owners
- 12 people signed attendance sheet
- Applicant presented revised plans and provided a preliminary drainage study

On February 2, 2017 based on comments received at the public meeting:

- Applicant submitted additional revised documents
- Submitted a Rendering

Revised drawings, site plan, elevations (mainly building height), and landscaping plans are shown and compared with December 6, 2016 renderings. The applicant is proposing approximately 39 percent of landscaping for the entire site which exceeds the City's required five percent.

The request is in compliance with the Future Land Use and Character Map, the Thoroughfare Plan, Temple Trails Master Plan and Sidewalk Ordinance, Unified Development Code (UDC) Section 3.4.5 - Planned Development Criteria, and is consistent with the City's infrastructure and public service capacities.

Multiple permitted uses in the NS zoning district are cited.

Twenty-five notices were mailed in accordance with all state and local regulations with two notices returned in agreement and 17 notices returned in disagreement.

With the amount of responses in disagreement, UDC Section 3.3.4 – Protest, indicates:

Twenty percent of the area within the buffer accounts for property owners in disagreement of the rezoning request:

- Requires a three-fourths vote by City Council in order to be approved
- Total area: 665,472 square feet
- Opposition area: 319,000 square feet
- With this request there is a 47.9 percent opposition which triggers a protest

Staff recommends approval for a rezoning from NS to PD-NS with the allowed use of a mini-storage warehouse including the following conditions:

1. Substantial compliance with the Development/Site Plan;
2. Substantial compliance with the Landscape Plans and Elevations;
3. That the remaining 2.16 +/- acres will require a separate Development/Site Plan review by the Planning & Zoning Commission with approval by City Council prior to any future development;
4. Each individual storage unit is limited to a maximum of 2,000 cubic feet;
5. A six-foot wide sidewalk is required to be built along South 31st Street prior to the opening of business;
6. Outward-facing building façades (as shown in the Outward-Facing Building Façades Graphic) related to the mini-storage buildings shall have exteriors containing a combination of Exterior Insulation Finish Systems (EIFS), split-faced concrete masonry units (CMUs), brick and accent metal panels as shown in the Elevations submittal;
7. Preservation of most trees within the subject property (perimeter and interior), based on variety and maturity, must be considered;
8. A continuous 10- to 15-foot wide landscape buffer is required between residential and nonresidential uses. The buffer must be installed prior to any nonresidential development and maintained per UDC, Section 7.4.8, Maintenance and Irrigation;
9. A continuous 20-foot wide landscape buffer is required along the Georgetown Railroad (combination of new and existing trees). This buffer must be installed prior to the completion of Phase II and maintained per UDC, Section 7.4.8, - Maintenance and Irrigation;
10. All landscaping required by the UDC shall meet or exceed UDC, Section 7.4 -Landscaping;
11. Any fencing along South 31st Street shall be decorative metal;
12. This PD runs with the land and is not affected by the transfer of property owners;
13. The maximum building wall height allowed is 21-feet (top of wall and per submittal elevations);
14. The applicant shall comply with all Texas Department of Transportation (TxDOT) requirements; and
15. All lighting associated with the proposal shall be shielded to prevent light trespass.

Commissioner Crisp asked about drainage. Mr. Richard Wilson, Deputy City Engineer, responded one of the issues addressed in the submitted report was pre- and post-discharge rates by having detention. What was not addressed is conveyance off-site and increased volumes of water that will be conveyed off-site. Mr. Wilson will

be looking to the applicant to address this issue. Currently, the water builds up because the railroad is a dam, along with an access road that is built and the water spills over into the back yards. Mr. Wilson added that this will still be the case--the water will still discharge over the railroad track faster than they can get it out of the backyards.

An alternate conveyance methodology will be required. Mr. Wilson has not seen anything to date.

Chair Rhoads opened the public hearing and asked the applicant to come up first.

Mr. Donald Jones, 4216 Little Bend Court, Keller, Texas, stated development takes a long time and his company is not anywhere close to being finished. Additionally, due to the December 6, 2016 P&Z meeting and the public meeting held with property owners on January 15, 2017, Mr. Jones feels he has addressed all comments made regarding this project.

Mr. Jones stated they cannot fix everything being asked for but can certainly make efforts, which he believes has been done.

Mr. Jones went into some history of the subject property which has been for sale for many years, which consists of a triangular-shaped 7.3 +/- acres making it very difficult to develop. The developer is willing to purchase the entire acreage and utilize and design the property in the best manner available, which he believes this proposed project would do.

Mr. Jones stated on March 2, 2011, the Georgetown Railroad sold the spur easement, a 100-foot wide strip, to the City for \$10.00 (Ten Dollars). This railroad easement lies between the houses located there and the subject property (50-feet on the residential side and 50-feet on the subject property side).

When Mr. Jones physically walked this strip of land, he stated there were 30-foot tall trees and so much vegetation on both sides he could not see through it on either side. Photos shown of the strip of land. One of the concerns expressed by residents was that everyone would be able to see the proposed project. Mr. Jones disagreed due to the existing vegetation.

Mr. Jones explained there were 11 homes that abut the railroad track and would be affected; however, he added these 11 homes would not be able to see the proposed project due to the existing greenery and growth. The buffer would be equivalent to 50-feet, plus the railroad track, plus an additional 50-feet. Mr. Jones has no control over this vegetation since it is not part of the proposed project.

The back portion of the proposed project which abuts the railroad was initially going to be landscaped by the developer. However, due to the existing vegetation, there is no reason to spend money cleaning it up and planting additional trees and shrubs no one will ever see. Mr. Jones made a new proposal that they would cut what they needed to cut in order to comply and build the required buildings. The balance of the remaining vegetation would be left as is.

Mr. Jones assured that the drainage issue on the subject property would be monitored and maintained. In order to do this, the buildings in Phase I were adjusted and also some removed in order to allow more land/space for drainage.

Additional architectural features (parapets, wall, façade, etc.) have also been added that were not in the original plans.

Mr. Jones explained in asking for this proposed PD, the applicant/developer will be held to and accountable for the submitted plans.

The signage will be a monument sign in the front.

On Phase I there were 3 or 4 smaller buildings that have now been redesigned as one building in order to effect better lighting and the quantity of caps needed.

Site plans shown for comparison.

Mr. Jones discussed drainage and mentioned the water damming up in a certain location. Apparently there is a 0.1 +/- acre tract of land belonging to Mr. C.E. Dever (*phonetic spelling*) on the east side of the railroad track, not located on the subject property, where water is damming up.

Mr. Jones explained they would take the water to the northeast corner and triple feed it back to the same point and also clear out some of the vegetation to help facilitate the water come out.

Mr. Jones suggested since there was a big concern about the drainage, perhaps the HOA should pay for a study on the back side and mirror what the developer will be doing. Mr. Jones has instructed his engineer to over-engineer the drainage to make sure it works.

Mr. Jones offered to take the money that would have gone for landscaping on the back side of the railroad, and if and when the City comes in and builds a park or walking trail in the area, they can escrow at the front or escrow at the back \$10,000 for landscaping of that project or whatever project the City would rather put the funds toward.

In regards to the bluebonnets, Mr. Jones offered to have their fire lane marked with allocated parallel parking on the north side so people can get stay off the street and park in the appropriate areas. Since the developer is required to build a six-foot sidewalk along the entire length of the project, that amenity would be available for everyone to use and photograph/enjoy the bluebonnets.

Mr. Jones also offered to make sure the entire two acres would be barricaded and blocked off to make sure no contractor touches that portion of the property during the entire construction period. This would be made part of the proposed plan in order to protect that section for the time being. Mr. Jones reminded everyone that; however, at some point in the future, someone will come along and develop that property.

Mr. Jones added that a lot of growth for single family residential is occurring in this area and storage space will be needed. NS best describes this service and project and there is no storage in new residential homes.

Chair Rhoads thanked the applicant and stated his appreciation for the follow-through, effort, and transparency on his part.

Chair Rhoads repeated the super majority rule for when this item goes forward to City Council whether the request is approved or not.

Ms. Rebecca Burrow, 9914 South Whitehall Road, Temple, Texas, stated this project would be more economically infeasible than believed.

Ms. Burrow stated Temple is the wildflower city of Texas and if this project goes forward there will be no green space in the area. Ms. Burrow stated the less green space per family household, the more depressive that area is. Because of this reason Ms. Burrow believes medically, this is not a good idea.

Ms. Burrow, as an Ecologist, commented three-quarters of the native land would be cut off. The tree coverage is soaking up most of the water and currently, without that, there is still a huge drainage problem. Adding 50 percent impervious cover will not help no matter how deep or what is done. There are already problems and it will be exacerbated after this with 50 percent impervious cover.

DRAFT February 6, 2017 P&Z Excerpt

Ms. Burrow proposed leaving the property as is, do some small modifications to add in native plantings that will fix the drainage problems, or develop a low maintenance park with native plants. She would rather the 7 +/- acres be used as an enhanced service to the citizens that have nothing else in the area.

Ms. Burrow wants to encourage the City, as the wildflower city of Texas, to do something to earn that designation.

Mr. Tex Burrows, 6205 Turtle Creek, Temple, Texas, stated NS zoning specifically prohibits storage facilities.

Mr. Burrows stated a petition drive is being conducted in Deerfield Estates to prevent this project was proceeding and approximately 75 percent of the residents are against this proposal.

Mr. Burrows requested that the NS zoning stay as is.

In regards to drainage, Mr. Burrows commented that the applicant/developer would do the right thing on the property to the best that they can within the laws and regulations required, but that is not enough. Once the water leaves the property, it becomes the City's problem. Mr. Burrows recommended before development begins, the City have a plan in place to deal with the runoff water because it will go into the back yards, down Turtle Creek and become worse.

Mr. Burrows felt that accent metal panels do not fit with the décor of the neighborhood and even with the updated plans, Mr. Burrows does not feel this is an appropriate fit for the area.

Mr. John Schuchmann, 2028 Deerfield Drive, Temple, Texas, stated he was a retired physical medicine and rehabilitation physician from Scott and White and health is his main issue on this matter.

Mr. Schuchmann felt this property should be used to enhance the health and well-being of the citizens of Temple. There have been discussions for a number of years of putting a hike and bike trail along the Georgetown Railroad which goes from 31st Street to 5th Street. It would be an ideal outdoor space/trail/hike/bike area for the existing and future residents due to the growth of the area. Obtaining regular exercise is a tremendous benefit for maintaining and improving health.

Mr. Schuchmann stated there were a number of nice parks in Temple and Belton but those are not close enough to this area. His proposal was to develop this area into a Rail Trail with parking and amenities for the community and turn down the proposed project and rezoning request.

Mr. Brian Chandler, Director of Planning, stated he sits on the Bicycle Pedestrian Advisory Committee for the Killeen Temple Metropolitan Planning Organization (KTMPO). The Committee is continuing to look at this potential trail but it is not as simple as it may seem in terms of ownership and whether the railroad easement legally allows for a potential trail.

Mr. Chandler reassured the P&Z Commission and citizens that the Committee is looking at it and has submitted a future grant application through KTMPO to eventually have a trail that extends from South Temple Park, Lions Junction, and hopefully down to the Leon River.

Mr. David Nix, 2526 Blue Meadow Drive, Temple, Texas, stated there are six very nice office buildings in the complex and they are proud of what has been done. Mr. Nix requested that the property be left zoned as is since it better serves the community and long term purpose.

Mr. Larry Allis, 5912 Fawn Meadow Drive, Temple, Texas, stated he agreed it was not the right location for this project. The biggest concern is the drainage issue and agrees with Ms. Burrow's comments. In addition to the previously mentioned drainage issues, he feels it will also create a mosquito breeding ground which endangers the communities and will attract wildlife as a water source. Mr. Alice would like to know where the water will go after it leaves the property since the drainage is located right behind the houses.

DRAFT February 6, 2017 P&Z Excerpt

Mr. Allis agrees this is not the right area for this project.

Ms. Pam Matthews, 1920 Deerfield Drive, Temple, Texas, echoed she was concerned about the drainage problems. Ms. Matthews does not currently experience drainage problems but she lives on the creek and stated a 100 year flood plain goes past the area. Ms. Matthews feels this project would contribute to future problems.

Ms. Matthews also agrees with Ms. Burrow's comments and would rather keep this as a green space.

Mr. Tim Pastor, 5904 Fawn Meadow Drive, Temple, Texas, stated he has witnessed drainage running down Fawn Meadow and Turtle Creek several times. Mr. Pastor discussed this issue with a City engineer and stated he was told there was another detention pond further up along the Georgetown Railroad that was not working correctly which compounds the problem.

Mr. Pastor purchased his property knowing the problems already existed; however, he does not feel this is a good development for the neighborhood and will be an eyesore.

Chair Rhoads clarified that the buildings for the proposed project were pushed further back than typical storage facilities.

Dr. Meera Beharry, 2313 Windsong Lane, Temple, Texas, stated she agreed the property should be kept as NS. Dr. Beharry's major concerns are the issues already discussed and safety issues for people who choose to use it, especially if a hike and bike trail were to eventually come to the area.

Dr. Beharry would not want to live in a neighborhood that seems more industrial and commercial which is why she chose this area.

Mr. Josh Valenta, Civil Engineer, 211 Woodland Blvd., Woodland, Texas, wanted to reiterate some of the points Mr. Jones touched on previously. The City has an extensive ordinance on drainage and a lot of time, effort and thought have been put into this project to protect the area. Mr. Jones instructed Mr. Valenta to go above and beyond what was required.

Mr. Valenta stated detention is based on rate, not volume, and the detention ponds take the large flow of water and make it lower—trickle channel effect. The proposed detention ponds will fill up and drain within 35 minutes to an hour. If the detention ponds are designed and built correctly, which his company does, there will be no mosquito or wildlife problems.

Mr. Valenta commented that the appearance of this storage facility is unlike any other; it is much nicer. With the current zoning in place the area would get much less since it is allowed.

Mr. Donald Jones returned and stated the area they want to develop is higher than the railroad track and the homes are lower. Brief discussion about where the water flows.

Chair Rhoads closed the public hearing.

Commissioner Jones thanked the audience for coming to the meeting tonight and explained that no matter what the vote is, this matter will continue on to City Council.

Commissioner Crisp made a motion to approve Item 2, **Z-FY-17-03**, per Staff recommendation as PD-NS, and Commissioner Langley made a second.

Motion failed: (2:6)

Commissioners Crisp and Langley voted Aye; Commissioners Alaniz, Armstrong, Jones, Marshall, Vice-Chair Fettig, and Chair Rhoads voted Nay; Commissioner Ward absent

ORDINANCE NO. _____
(Z-FY-17-03)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM NEIGHBORHOOD SERVICES ZONING DISTRICT TO PLANNED DEVELOPMENT-NEIGHBORHOOD SERVICES ZONING DISTRICT AND SITE/DEVELOPMENT PLAN ON APPROXIMATELY 3.5718 ACRES, PROPOSED FOR A NONRESIDENTIAL SUBDIVISION FOR A MINI-STORAGE FACILITY, WHICH IS A REDUCED SCOPE FROM THE ORIGINAL APPROXIMATELY 7.35 ACRES, SITUATED ON A PORTION OF 1 LOT, 1 BLOCK, RVOS ADDITION, LOCATED AT 5785 SOUTH 31ST STREET; 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 Neighborhood Services zoning district to Planned Development-Neighborhood Services zoning district and site/development plan on approximately 3.5718 acres, proposed for a nonresidential subdivision for a mini-storage facility, which is a reduced scope from the original approximately 7.35 acres, situated on a portion of 1-lot, 1-block, RVOS addition, located at 5785 South 31st Street, Temple, Texas, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: Staff recommends approval for a rezoning from Neighborhood Services zoning district to Planned Development-Neighborhood Services zoning district with the following conditions:

1. Substantial compliance with the Development/Site Plan, attached hereto as Exhibit B;
2. Substantial compliance with the Landscape Plans and Elevations as depicted in Exhibit C;
3. That the remaining approximately 3.776 acres will remain as is in the Neighborhood Services zoning district;
4. Each individual storage unit is limited to a maximum of 2,000 cubic feet;
5. A six foot wide sidewalk is required to be built along S. 31st Street prior to the opening of the business;
6. Outward-facing building facades (as shown in Exhibit C: Outward-Facing Building Facades Graphic) related to the mini-storage buildings shall have exteriors containing a combination of Exterior Insulation Finish Systems (EIFS), split-faced concrete masonry units (CMUs), brick and accent metal panels as shown in the Elevations submittal;
7. All landscaping required by the UDC shall meet or exceed UDC, Section 7.4 Landscaping;
8. Any fencing along South 31st Street shall be decorative metal;

9. This PD runs with the land and is not affected by future change of ownership;
10. The maximum building wall height is 21 feet (top of wall and per submitted elevations);
11. Applicant shall comply with all Texas Department of Transportation requirements; and
12. All lighting associated with the proposal shall be shielded to prevent light trespass.

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

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

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

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

TABLED on First Reading and Public Hearing on the **2nd** day of **March**, 2017.

PASSED AND APPROVED on Second Reading on the **6th** day of **April**, 2017.

PASSED AND APPROVED on Third Reading on the **20th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #7
Regular Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - Z-FY-17-19: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to General Retail zoning district on 3.91 +/- acres, Lot 1 Block 1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas.

STAFF RECOMMENDATION: Staff recommends approval for a rezoning from Agricultural district to General Retail district for the following reasons:

1. The proposed rezoning is compliant with the Future Land Use Map's Suburban Commercial District;
2. The proposed zoning is compliant with surrounding zoning and anticipated retail and service uses along this section of Hilliard Road;
3. The request is compliant with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their March 6, 2017 meeting, the Planning & Zoning Commission voted six to zero for approval of the proposed rezoning from Agricultural (AG) zoning district to General Retail (GR) zoning district, per staff's recommendation.

ITEM SUMMARY: Aldrich-Thomas Group, on behalf of the owner James Mendenhall, is requesting rezoning from Agricultural (AG) district to General Retail (GR) district on 3.91 +/- acres tract of land, described as Lot 1, Block 1, Fernandez Addition (Exhibit A). The property is currently developed with a single residence.

It is noteworthy that this is the second rezoning on Hilliard Road (Outer Loop) within the last year. Per Ordinance 2016-4786, the property across the street at 419 Hilliard Road was rezoned from Agricultural (AG) zoning district to General Retail (GR) zoning district.

While there is currently a single-family residence on the property, it is anticipated the property eventually will be re-developed with retail and service uses.

There are a number of residential and non-residential uses that are permitted by right in the GR zoning district. The uses allowed in the GR, include but are not limited those uses listed in the attached table. Non-residential development of this property may require a replat to be submitted and reviewed by the City

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

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

Future Land Use Map (CP Map 3.1)

The subject property is entirely within the Suburban Commercial land use district. The Suburban Commercial district is intended for office and retail service-related zoning districts, of which the requested GR-zoning is in compliance with the Future Land Use Map. While there are no immediate plans to develop the property for retail and service uses, if approved, the zoning would be in-place to accommodate future market trends to allow development along this section of the Outer Loop, which is north of its intersection with West Adams Avenue (FM 2305).

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from Hilliard Road, located approximately 1200 feet north of its intersection with West Adams Avenue. This section of Hilliard Road, also known as Research Parkway and the Outer Loop, is a major arterial, which requires a 6-foot sidewalk on both sides. Sidewalk improvements are currently in place on the east side of Hilliard, across the street from the subject property. A 6-foot sidewalk will be required at the Construction Plan phase along the subject property's frontage. Otherwise sidewalks will be addressed at the platting stage, if replatting is required. Currently, there are no funded or scheduled TCIP improvement projects along this section of Hilliard Road.

As an arterial, UDC Section 7.2.4 prohibits residential driveways onto an arterial. While the proposed rezoning would reduce the number of residential driveways onto an arterial, once developed with non-residential uses, the current residential driveway is non-conforming.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 8-inch sewer line in Hilliard Road and will require extension to the subject from its current location. Water is available through an existing 18-inch waterline in Hilliard Road. Public facilities will be addressed through the subdivision plat process.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies an existing City-Wide spine trail in Hilliard Road. Any needed trail improvements or upsizing will be addressed during the future platting process.

DEVELOPMENT REGULATIONS: Residential setbacks in the Agricultural (AG) district & non-residential for the General Retail (GR) district are found in the attached table. Additional standards are shown below.

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

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

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

PUBLIC NOTICE: Eight 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 Tuesday March 28, 2017 at 9:00 AM, three notices have been received in agreement.

The newspaper printed notice of the public hearing on February 23, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Site and Surrounding Property Photos](#)
[Fernandez Addition Final Plat \(Exhibit A\)](#)
[Maps](#)
[Tables](#)
[Returned Property Notices](#)
[P&Z Excerpts \(March 6, 2017\)](#)
[Ordinance](#)

Site & Surrounding Property Photos



**Site: Existing SF Residential Use on Acreage
(AG)**



**North: Existing SF Residential Uses on Acreage
(AG)**



**East: Existing Single Family Residential Use
(GR, per Ord. 2016-4786)**



**West: Undeveloped & Unplatted Land & Platted Westfield Development
(PD-GR & MF-2)**



**South: Existing SF Residential Use on Acreage
(AG)**



**South: Existing Service & Retail Uses
Intersection of Hilliard Road & W. Adams Ave (FM2305)
(GR)**

STATE OF TEXAS
COUNTY OF BELL

BE, THE UNDERSIGNED, BEING THE OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS FERNANDEZ ADDITION WITHIN THE CITY LIMITS OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DEDICATE THE USE OF THE PUBLIC FOR THE ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS ADDITION.

BY: Pedro Armando Fernandez
PEDRO ARMANDO FERNANDEZ
BY: Margo Fernandez
MARGO FERNANDEZ

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED PEDRO ARMANDO FERNANDEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 16th DAY OF November, 1999.

Jennifer M. Ward
NOTARY PUBLIC, STATE OF TEXAS



STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARGO FERNANDEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th DAY OF November, 1999.

Jennifer M. Ward
NOTARY PUBLIC, STATE OF TEXAS



Recordation Information:

Plat Recorded in Cabinet C, Slide 194-D
of the Plat Records of Bell County, Texas.

Dedication Recorded in Volume 4150, Page 16,
of the Official Public Records of Real Property Bell County, Texas.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF FERNANDEZ ADDITION WITHIN THE CITY LIMITS OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE ON THE 11th DAY OF January, 1999. SAID APPROVAL SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

WITNESSED MY HAND THIS 11th DAY OF January, 1999.

Christine Sprague
CITY SECRETARY



STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROCTOR ENGINEERING CONSULTANTS HAS BEEN GIVEN TOTAL AT

Anthony D. Brack 11/11/99
ANTHONY D. BRACK, P.E.



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; THAT THE PROPERTY LINES HAVE BEEN SURVEYED ON THE GROUND; AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

Robert S. Love, P.L.S. 11-11-99
ROBERT S. LOVE, P.L.S.
REGISTRATION NO. 5103



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 _____, 1999.

Richard S. Smith
CHAIRPERSON

I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION AND ITS ASSOCIATED UTILITY SYSTEM HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND OTHER REGULATIONS GOVERNING SUCH SYSTEMS AND IS HEREBY APPROVED FOR INSTALLATION AS INDICATED.

APPROVED: Michael J. Galt DATE: 2-8-2000
TITLE: Sanitizing Engineer BOD

Thomas G. Mott
DIRECTOR OF PUBLIC WORKS

I, THE UNDERSIGNED, CITY ENGINEER OF THE CITY OF TEMPLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, AS APPROVED BY THE CITY COUNCIL, AND HEREBY RECOMMEND APPROVAL.

T.G. Mott
CITY ENGINEER

FINAL PLAT OF

FERNANDEZ ADDITION

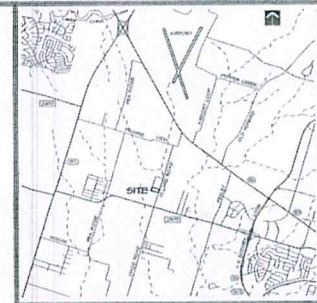
WITHIN THE CITY LIMITS OF THE
CITY OF TEMPLE, BELL COUNTY, TEXAS

Being a part of the NANCY CHANCE SURVEY,
ABSTRACT NO. 5, Bell County, Texas

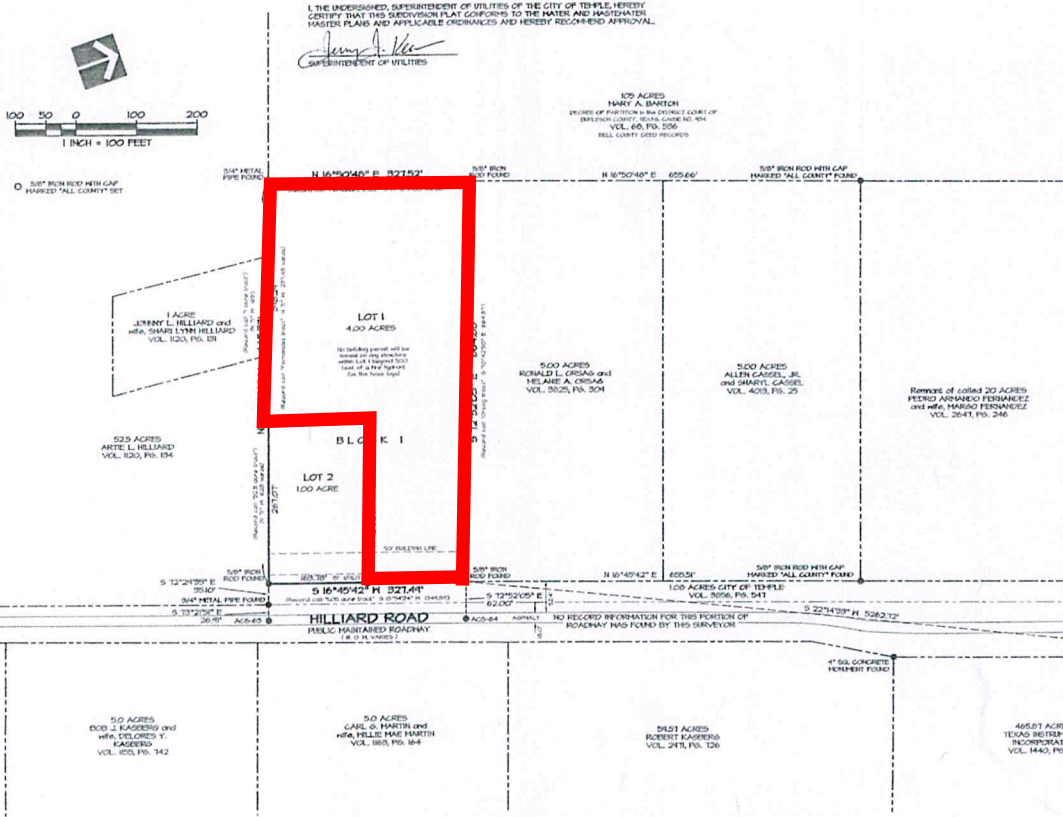
This plat is to accompany a meters and bounds description
of the herein shown 5.00 acre tract.

LOTS - TWO (2)
BLOCKS - ONE (1)
AREA - 5.00 ACRES

OWNERS:
PEDRO ARMANDO FERNANDEZ
MARGO FERNANDEZ
P. O. BOX 1517
TEMPLE, TX 76703-1517



VICINITY MAP
NOT TO SCALE



ATTACH:

The Tax Appraisal District of Bell County, the having authority for all taxing entities in that County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.
Dated this 4th day of February, 2000.
Catherine, Chief Appraiser
Tracy R. Rouse

CITY OF TEMPLE MONUMENT INFORMATION

ALL BLOCK CORNERS FOUND OR SET
HAVE BEEN PLACED IN CONCRETE.
ACS MONUMENTS AG-45 & AG-46
ARE 3/4" ALUMINUM MONUMENTS
MARKED ACCORDINGLY.

COORDINATE TABLE

MON. NO.	NORTHING	EASTING
ACS-45	10303.41435	32046.7518
ACS-46	10303.12142	32047.11935

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM) Commonly Panels No. 4807106 C100 D and 4807106 C160 D, dated February 15, 1984, the above shown property does not appear within the "Special Flood Hazard Area" and appears to be situated in Zone C. This Flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 205. The theta angle at City Monument No. 205 is 0°30'24". The combined correction factor (CCF) is 0.000003. Grid distance x Surface distance x CCF = decadal north + Grid north + Delta origin. Reference to from City Monument No. 205 to the northeast corner of shown 4.00 acre Lot 1 is 5.221453' N 52.02122° E. Established city coordinates for project reference point 205 are N = 10306.61120 E = 3211.70631

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

ALL COUNTY SURVEYING, INC.
1903 South 21st Street, Temple, Texas 76704
(254) 718-2372
FAX (254) 714-7608

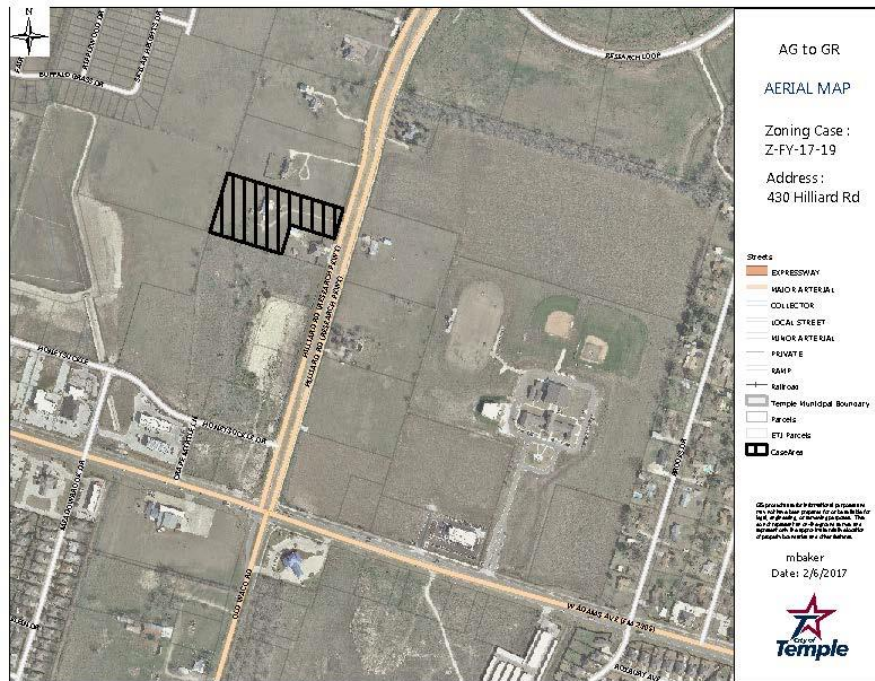


Job No: 991006
Date: 8-25-99
Drawn By: JMS
Checked By: RSL
Drawing No: 991006P
Disk No: 2041JMS

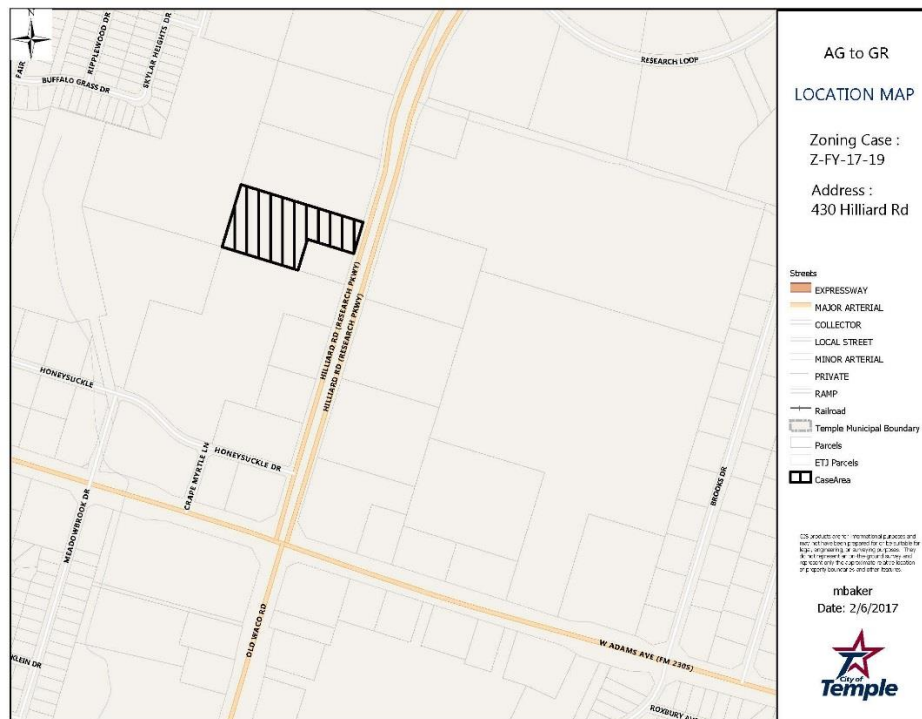
Exhibit A

TD 1324

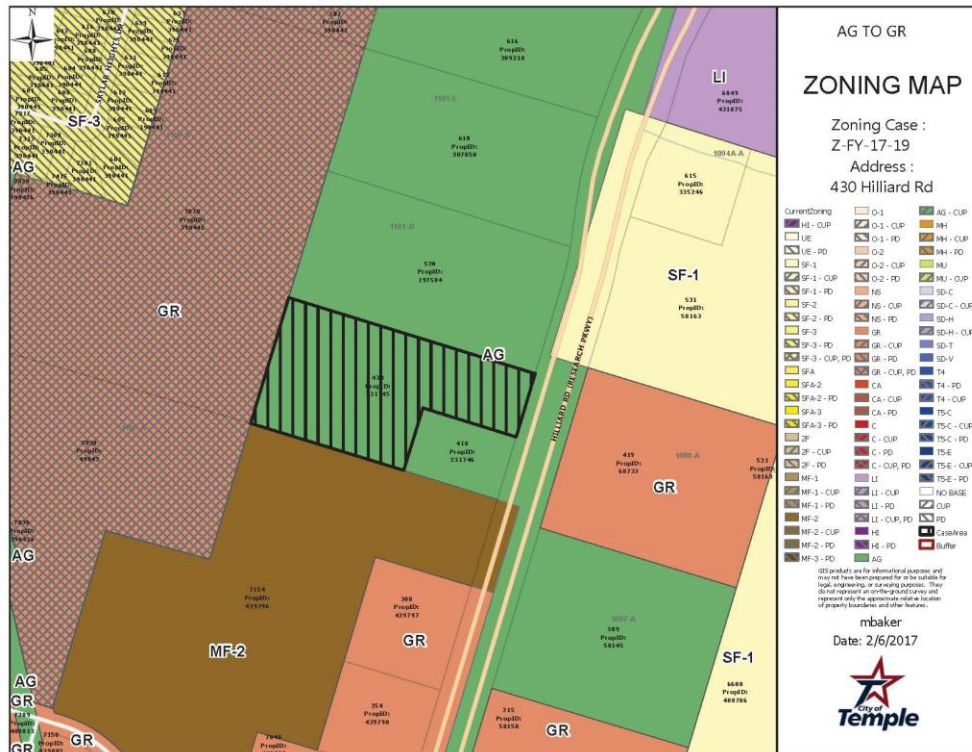
Maps



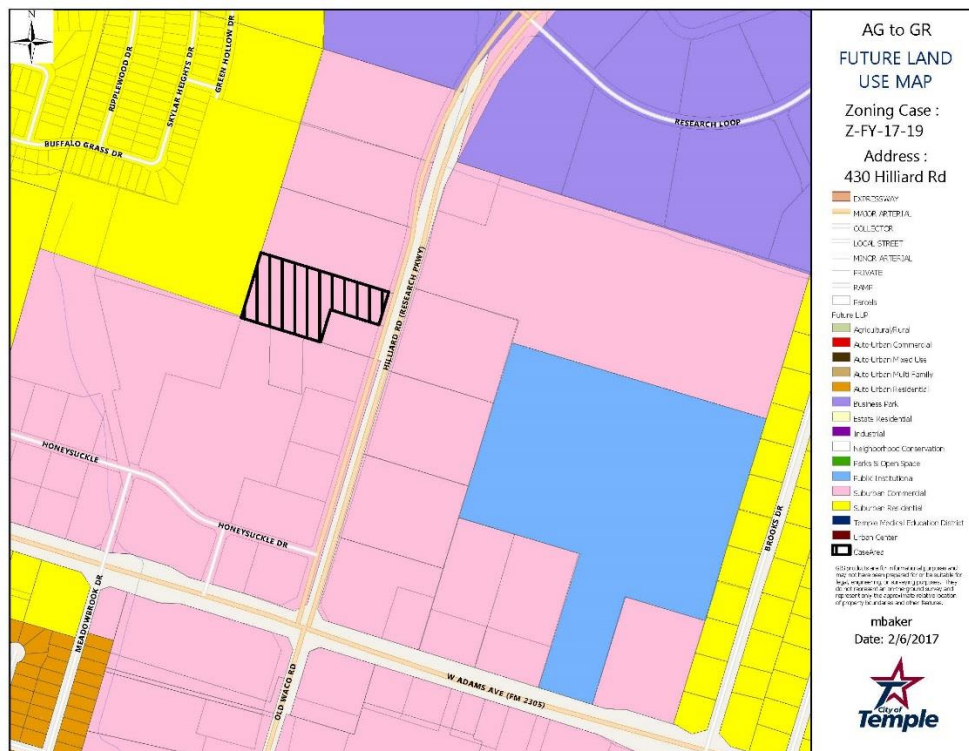
Aerial Map



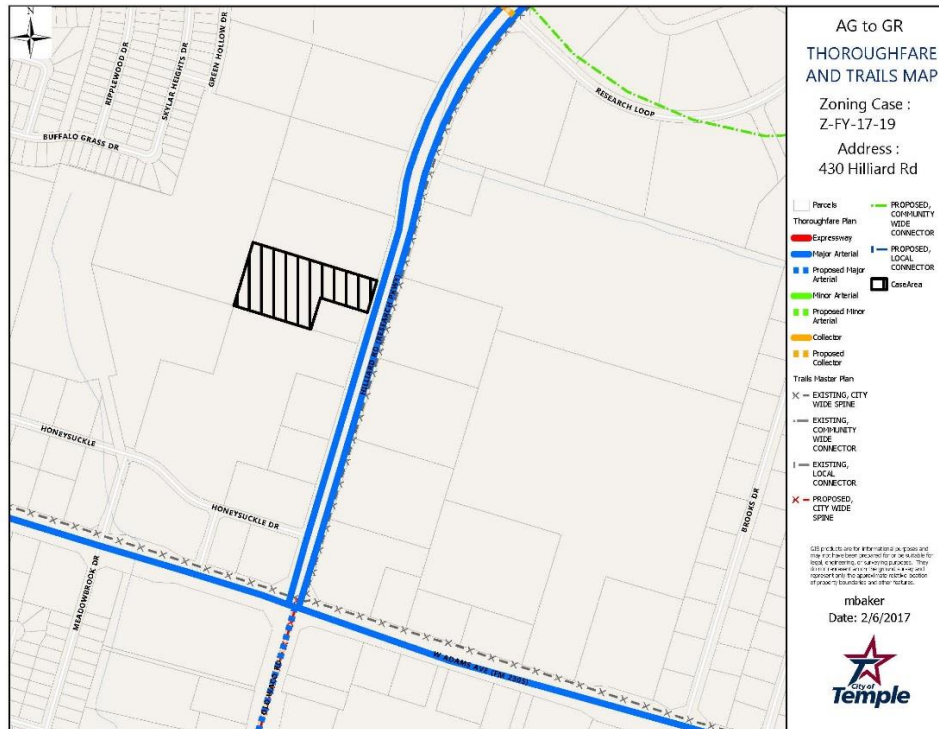
Location Map



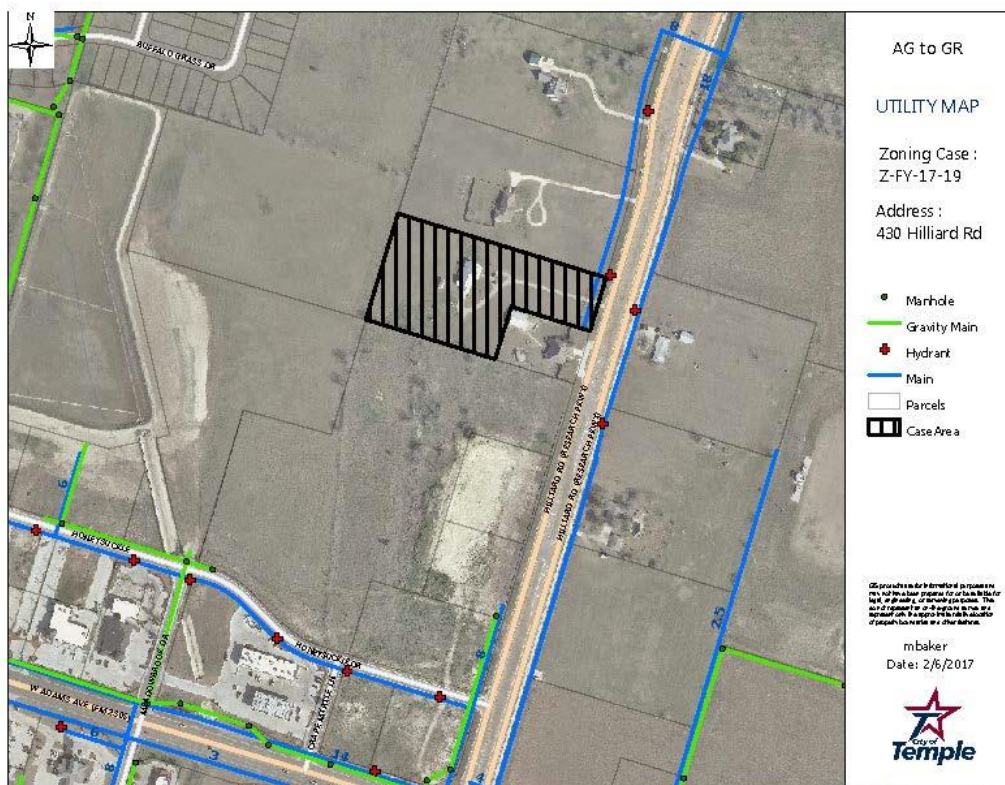
Zoning Map



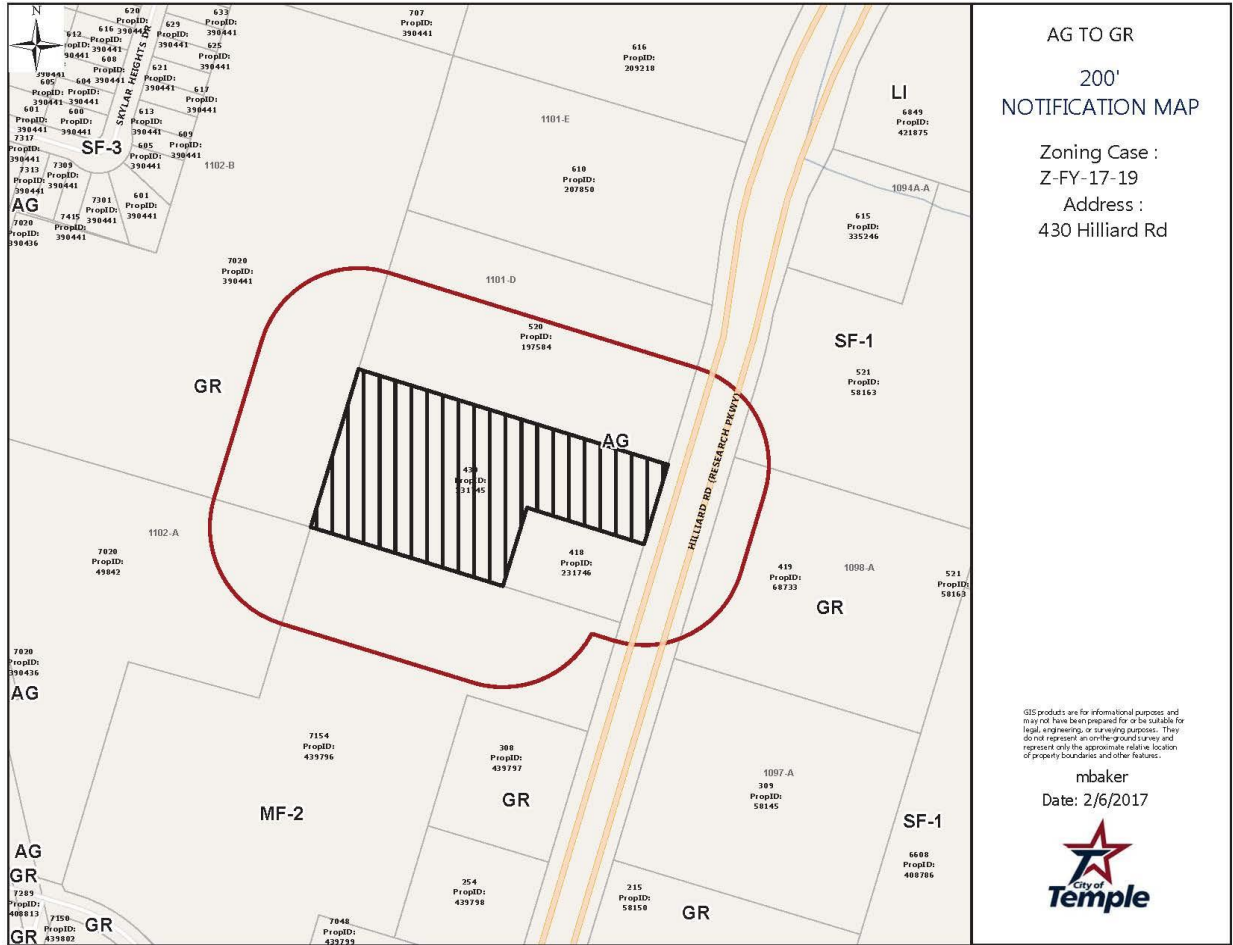
Future Land Use Map



Thoroughfare & Trails Map



Utility Map



Notification Map

Tables

Permitted & Conditional Uses Table (GR)

Permitted & Conditional Use Table - General Retail (GR)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	<ul style="list-style-type: none"> * Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	<ul style="list-style-type: none"> * Most Retail & Service Uses * Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)
Commercial Uses	<ul style="list-style-type: none"> * Plumbing Shop * Upholstery Shop * Kennel without Veterinary Hospital (CUP) * Indoor Flea Market
Industrial Uses	<ul style="list-style-type: none"> * Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	<ul style="list-style-type: none"> * Park or Playground * Beer & Wine (On Premise Consumption) < 75%
Vehicle Service Uses	<ul style="list-style-type: none"> * Auto Leasing, Rental * Auto Sales - New & Used (outside Lot) * Car Wash * Vehicle Servicing (Minor)
Restaurant Uses	* With & Without Drive-In
Overnight Accommodations	* Hotel or Motel
Transportation Uses	<ul style="list-style-type: none"> * Emergency Vehicle Service * Helistop

Surrounding Property Uses

<u>Surrounding Property & Uses</u>			
Direction	FLUP	Zoning	Current Land Use
Site	Suburban Commercial	AG	SF Use on Acreage
North	Suburban Commercial	AG	Undeveloped & Scattered SF Uses
South	Suburban Commercial	AG & GR	Undeveloped & Scattered SF Uses
East	Suburban Commercial	AG, GR & SF-1	SF Residential Uses Holy Trinity Catholic High School
West	Suburban Commercial	AG, MF-2 & GR	Undeveloped & Scattered SF Uses

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>Residential</u>	<u>Proposed (GR)</u> <u>Non-Res</u>
Minimum Lot Size	1 Acre	N/A
Minimum Lot Width	100 Feet	N/A
Minimum Lot Depth	150 Feet	N/A
Front Setback	50 Feet	15 Feet
Side Setback	15 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	❖ 10 Feet
Max Building Height	3 Stories	3 Stories

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

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

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



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

TEM-TEX INVESTMENTS LTD
PO BOX 1344
TEMPLE, TX 76503-1344

Zoning Application Number: Z-FY-17-19

Case Manager: Mark Baker

Location: 430 Hilliard Road

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

I ☒ agree

() disagree with this request

Comments:



Signature



Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than March 6, 2017.

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

**RECEIVED
FEBRUARY 28, 2017**

Number of Notices Mailed: 8

Date Mailed: February 24, 2017

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**

ZWERNEMAN, MARK D ETUX ANNETTE P
518 RIVERWOOD DR
BELTON, TX 76513-1041

Zoning Application Number: Z-FY-17-19

Case Manager: Mark Baker

Location: 430 Hilliard Road

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

I ☒ agree

() disagree with this request

Comments:

RECEIVED

MAR - 2 2017

City of Temple
Planning & Development

Signature

Mark Zwerneman

Print Name

Mark Zwerneman

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than March 6, 2017.

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

Number of Notices Mailed: 8

Date Mailed: February 24, 2017

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**

SHORT-TERM LENDING GP INC
15 N MAIN ST
TEMPLE, TX 76501-7629

Zoning Application Number: Z-FY-17-19

Case Manager: Mark Baker


Location: 430 Hilliard Road

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

I ☒ agree

() disagree with this request

Comments:



Signature

Short-Term Lending GP INC
THOMAS C. BAIRD

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, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than March 6, 2017.

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

RECEIVED
MAR - 3 2017
City of Temple
Planning & Development

Number of Notices Mailed: 8

Date Mailed: February 24, 2017

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

EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, MARCH 6, 2017

ACTION ITEMS

Item 3: Z-FY-17-19 - Hold a public hearing to consider and recommend action on a rezoning from Agricultural (AG) zoning district to General Retail (GR) zoning district on 3.91 +/- acres, Lot 1 Block 1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on April 6, 2017 and for second reading on April 20, 2017.

Vicinity map shown.

No specific development has been identified by the applicant.

Zoning map shown. The subject property is currently zoned Agricultural (AG).

The Future Land Use and Character Map designate the subject property as Suburban-Commercial which supports office, retail, and services use, and supports GR zoning.

Both water and sewer are available to serve the property with an 18-inch water line in Hilliard and an eight-inch sewer line in Hilliard.

Hilliard Road is designated as a major arterial by the Thoroughfare Plan. No anticipated Transportation Capital Improvements Program (TCIP) are funded or scheduled along this section of Hilliard.

An existing City-wide spine trail is on the east side of Hilliard.

Site photos shown.

Surrounding properties include single family residential uses on acreage and front Hilliard Road, zoned AG, is located to the north; scattered retail and service uses at the intersection of Hilliard Road and West Adams Avenue, zoned GR, and an existing single family residence on acreage, zoned AG, is located to the south; and an existing single family residential use, zoned GR (Ord. No. 2016-4786), is located to the east.

Several GR allowed uses (not inclusive) are briefly covered.

Current and proposed Development Standards are cited.

Buffering and screening would be required. Per the Unified Development Code (UDC) Section 7.7.4 – Buffering:

May consist of evergreen hedges composed of five-gallon plants or larger, with a planted height of six-feet on 36-inch centers

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

Eight notices were mailed in accordance with all state and local regulations, with three notices returned in agreement and zero notices returned in disagreement.

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

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

Chair Rhoads opened the public hearing.

Mr. Ryan Flores, Aldrich-Thomas Group, 10715 Bridgeport Drive, Temple, Texas, stated he was available for any concerns or questions.

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

Commissioner Marshall made a motion to approve Item 2, **Z-FY-17-19**, per Staff recommendation, and Commissioner Ward made a second.

Motion passed: (6:0)

Vice-Chair Fettig, Commissioners Armstrong and Jones absent

ORDINANCE NO. _____
(Z-FY-17-19)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO GENERAL RETAIL ZONING DISTRICT ON APPROXIMATELY 3.91 ACRES, LOT 1, BLOCK 1, FERNANDEZ ADDITION, LOCATED AT 430 HILLIARD ROAD, TEMPLE, TEXAS; 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 Agricultural zoning district to General Retail zoning district on approximately 3.91 acres, Lot-1, Block-1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: Staff recommends approval of a rezoning from Agricultural zoning district to General Retail zoning district.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **6th** day of **April**, 2017.

PASSED AND APPROVED on Second Reading on the **20th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #8
Regular Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-17-20: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Single Family-Three, General Retail, and Office-Two zoning districts on 81.173 +/- acres, situated in the B. Stracener Survey, Abstract No. 746, Bell County, Texas, located at 3131 Lower Troy Road.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its March 6, 2017, meeting the Planning and Zoning Commission voted six to zero to recommend approval of the requested rezoning from Agricultural (AG) zoning district to Single Family-Three (SF-3), General Retail (GR), and Office-Two (O-2) zoning districts.

STAFF RECOMMENDATION: Staff recommends approval of the requested rezoning from Agricultural (AG) District to Single Family-Three (SF-3) and General Retail (GR), and Office-Two (O-2) zoning districts for the following reasons:

1. Compliance with surrounding zoning and land uses; and
2. Compliance with the Thoroughfare Plan; and

ITEM SUMMARY: The applicant requests this rezoning from Agricultural (AG) zoning district to Single Family-Three (SF-3), General Retail (GR), and Office-Two (O-2) to allow development of duplexes along Lower Troy Road; retail uses along NE H.K. Dodgen Loop, and single-family residential uses within the interior portion of the subject property. **While staff generally prefers a Two-Family (2F) zoning designation for duplexes when property is abutting existing residential uses, the applicant's subject property is appropriate for duplexes or offices in this location.** The subject property is currently agricultural land which spans from the east side of Lower Troy Road to the west side of NE H.K. Dodgen Loop. The Union Pacific Railroad runs along the west side of Lower Troy Road.

The applicants plan to have potential development maintained by a home owners association (H.O.A). If this proposed rezoning is approved, the subject property will need to go through the platting process prior to development. **Since the subject property does not have water or sewer facilities, the applicant's engineers will need to work out issues currently associated with connecting to existing water and sewer facilities in the vicinity.**

The Planning and Zoning Commission discussed the lack of water and sewer facilities for the subject property and surrounding properties to the north and south during the public hearing on March 6, 2017. During the public hearing, the applicant's engineer assured the Planning and Zoning Commission that the proposed development would have water and sewer services through connections to existing facilities west of Lower Troy Road. **As of March 27, 2017, the Public Works Engineering Division has reviewed the applicant's proposed Utility Extension Plan and offered the following comments:**

- 1. The wastewater system connection to an existing 6 inch vitrified clay pipe is not acceptable. The connection must be made to a larger diameter segment of the Bellaire Relief Sewer.**
- 2. The water system connection to an existing 6 inch water main is not in compliance with the City of Temple Water Master Plan. The Master Plan includes a network of 8 inch water mains and a 12 inch water main along Loop 363.**

The applicant's requested **SF-3 zoning district** permits single-family detached residences and related accessory structures and provides single-family development at urban densities in locations well served by public utilities and roadways. The district should have adequate thoroughfare access and be relatively well connected with community and neighborhood facilities such as schools, parks, and shopping areas and transit services.

The applicant's requested **SF-3 zoning district** permits single-family detached residences and related accessory structures and provides single-family development at urban densities in locations well served by public utilities and roadways. The district should have adequate thoroughfare access and be relatively well connected with community and neighborhood facilities such as schools, parks, and shopping areas and transit services.

The applicant's requested **GR zoning district**, along NE H.K. Dodgen Loop, is the standard retail district and allows most retail uses including retail sales, restaurants, grocery stores, department stores, or offices and residential uses except apartments.

The **GR zoning district** is intended to serve larger service areas than neighborhoods. This district **should be located at the intersection of major arterials** and should provide total on-site traffic maneuvering such that traffic entering and exiting the facility should have room to turn, stack and park within the confines of the retail facility. **Adjoining zoning districts should be carefully selected to reduce environmental conflicts.**

The applicant's requested **O-2 zoning district** permits a variety of low, mid and high rise office development. **Apartments and duplexes are allowed.** Buildings in the O-2 District may be built to any legal height. Office buildings over 40 feet in height must provide additional yard space. **The O-2 zoning district is intended to allow for office uses in an area that is primarily business or high density residential.** This district provides for professional, financial, medical and other office services and may include corporate offices and major employment centers. Uses in this district generally have low traffic generation characteristics and do not require high visibility to conduct business.

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 **Suburban Residential** and **Suburban Commercial** character districts of the *Choices '08* City of Temple Comprehensive Plan.

The property's Suburban Commercial land use classification along the northeast tip of the subject property along NE H. K. Dodgen Loop is appropriate for office, retail and services uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted, such as at "gateways" and high-profile corridor locations. Therefore, it limits the floor area ratio and requires a higher landscape surface ratio than in the Auto Urban Commercial district. **The applicant's requested General Retail District complies with this land use classification, but it does not comply with the remaining property's Suburban Residential land use classification.**

According to the City of Temple Comprehensive Plan, the property's **Suburban Residential land use classification along Lower Troy Road** is characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways. The applicant's requested **SF-3 zoning district does not comply** since it provides single-family development at **urban densities**. The applicant's requested **O-2 district also does not comply with the Suburban Residential land use classification, but it does comply with the Thoroughfare Plan.**

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

The subject property's west property line fronts **Lower Troy Road**, a designated Minor Arterial in the Thoroughfare Plan. **The applicant's requested O-2 zoning district is appropriate along Minor Arterials. But, single-family or two-family dwellings are not appropriate along Minor Arterials.** The property's east property line fronts **NE H.K. Dodgen Loop**, a designated Expressway in the Thoroughfare Plan. **The applicant's requested GR zoning district is appropriate along Expressways.**

Availability of Public Facilities (CP Goal 4.1)

City maps do not show existing water or sewer lines on the subject property, but existing water and sewer facilities exist across the street in the Bellaire North Subdivision, located on the west side of the Union Pacific Railroad along Lower Troy Road. Additional water lines exist south of the subject property along East Young Avenue and along Gun Club Road.

As previously mentioned in this staff report, the Public Works Engineering Division has reviewed the applicant's proposed Utility Extension Plan and offered the following comments on March 27, 2017:

1. The wastewater system connection to an existing 6 inch vitrified clay pipe is not acceptable. The connection must be made to a larger diameter segment of the Bellaire Relief Sewer.
2. The water system connection to an existing 6 inch water main is not in compliance with the City of Temple Water Master Plan. The Master Plan includes a network of 8 inch water mains and a 12 inch water main along Loop 363.

Proposed City Council Meeting Schedule

This item is tentatively scheduled for a City Council public hearing (first reading) on April 6, 2017. The second reading of City Council is tentatively scheduled for April 20, 2017.

PUBLIC NOTICE: Eighteen (18) 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, March 2, 2017, one notice has been received in favor of the proposed rezoning and one notice has been returned in opposition to the proposed rezoning. A verbal response of opposition was received by phone from the property owner at 3109 North 12th Street.

The newspaper printed notice of the public hearing on February 23, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable




ATTACHMENTS:




[Site and Surrounding Property Photos](#)
[Maps](#)
[Development Regulations](#)
[Surrounding Property & Uses Chart](#)
[Comprehensive Plan Compliance](#)
[Applicant's Rezoning Exhibit](#)
[Notification Response Letters](#)
[Ordinance](#)

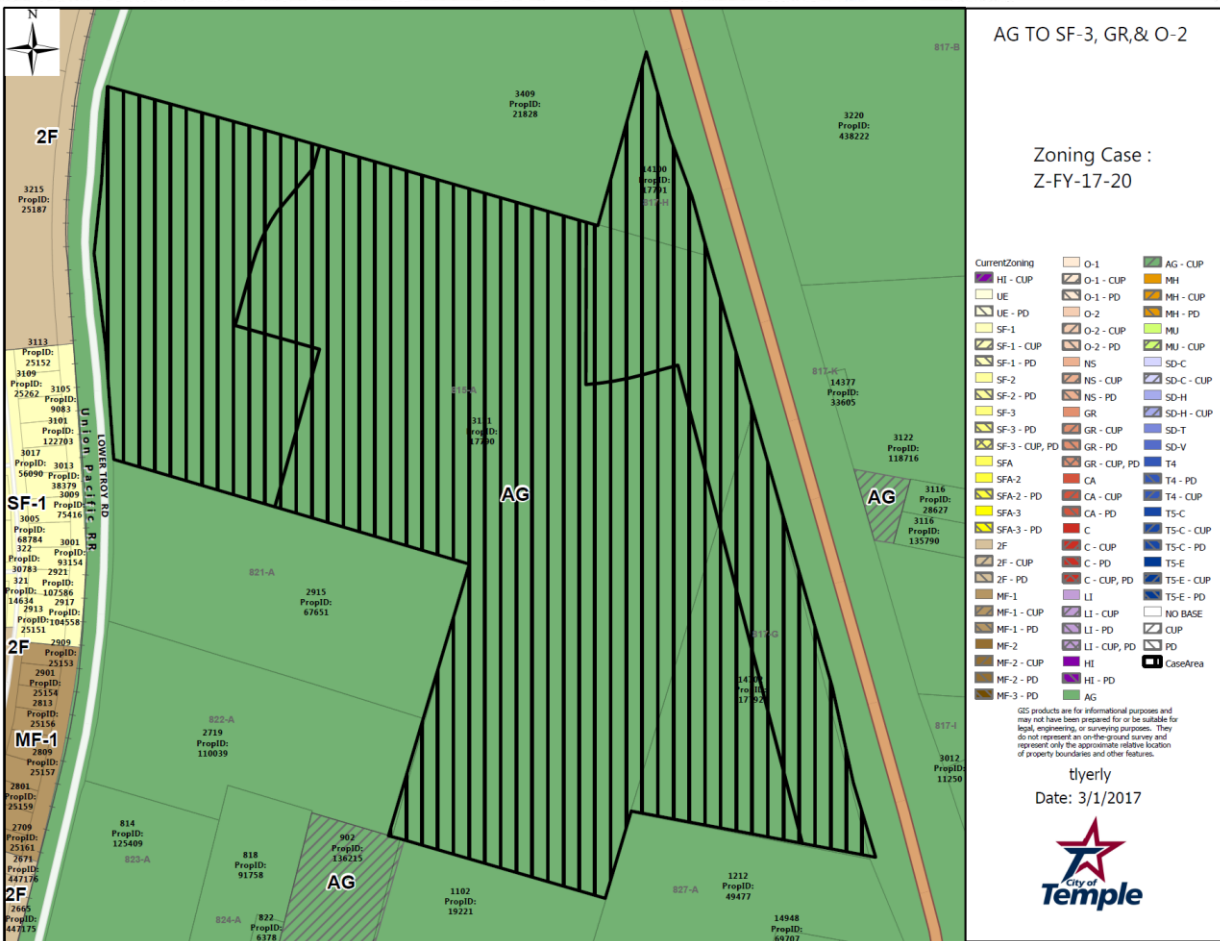
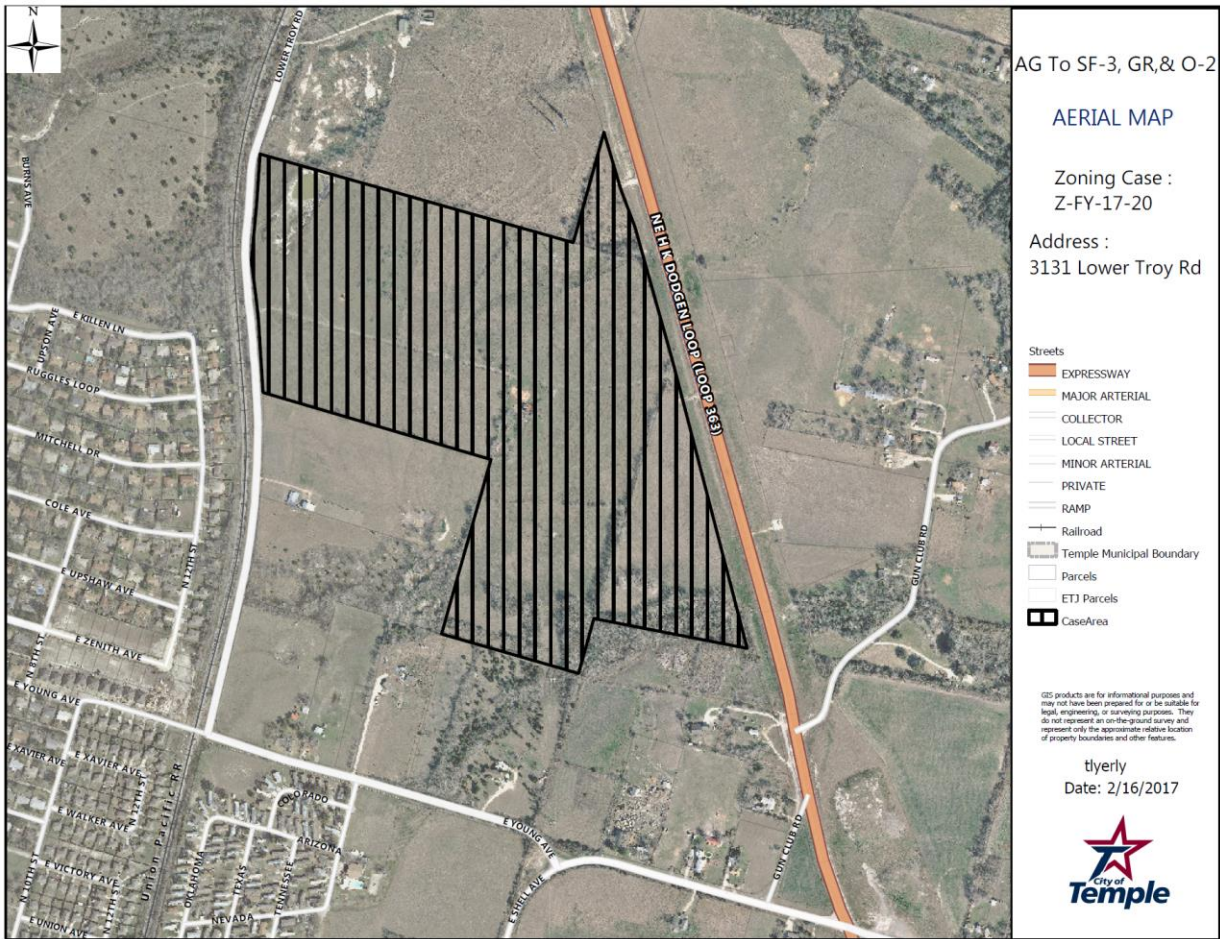
SURROUNDING PROPERTY AND USES:

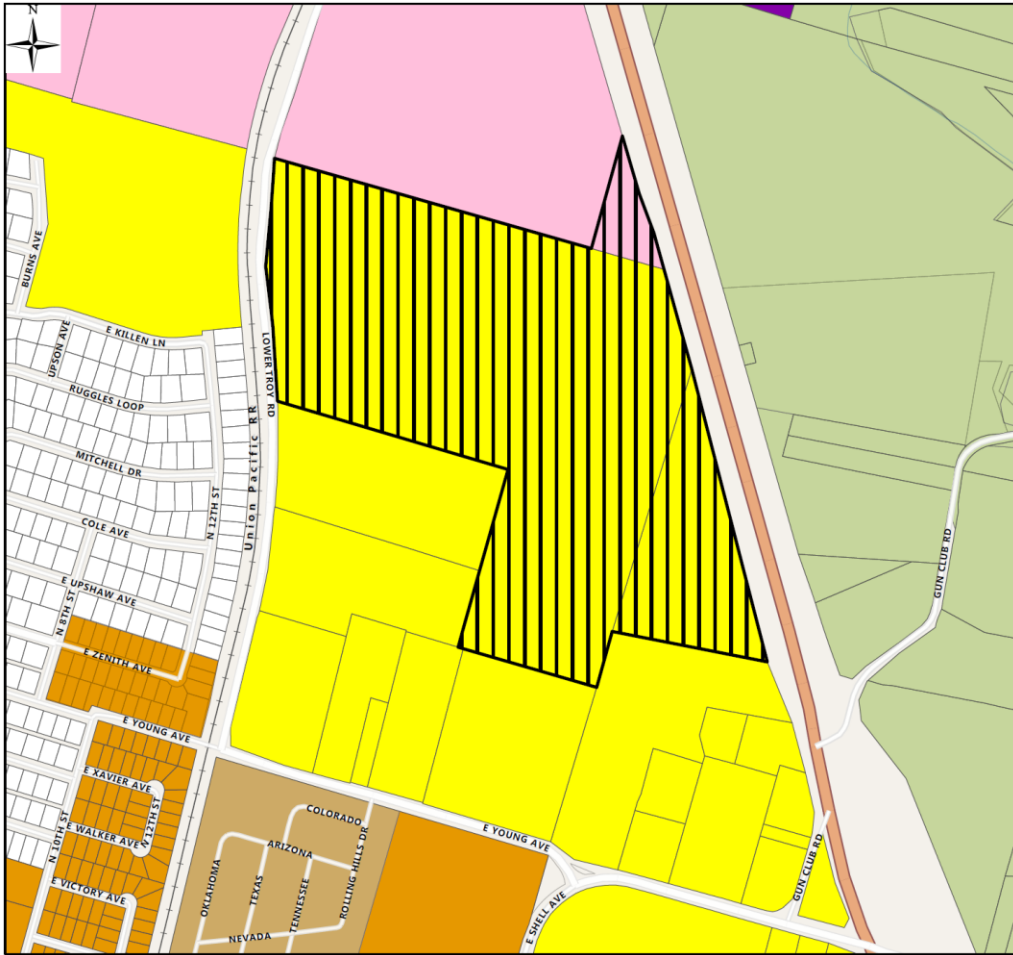
The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Agricultural Land	 <p>Lower Troy RD</p> <p>Site</p>
			 <p>NE H.K. Dodgen Loop</p> <p>Site</p>
East	AG	Expressway	 <p>NE H.K. Dodgen Loop</p>

Direction	Zoning	Current Land Use	Photo
West	SF-1, 2F, AG	Residential, Agricultural Land, & Undeveloped Land	 <p>Lower Troy RD</p>
			 <p>Lower Troy RD</p>
South	AG	Agricultural Land and Rural Residential	 <p>Lower Troy RD</p>

Direction	Zoning	Current Land Use	Photo
			 <p>NE H.K. Dodgen Loop</p>
North	AG	Agricultural Land	 <p>Lower Troy RD</p>
			 <p>NE H.K. Dodgen Loop</p>





AG To SF-3, GR,& O-2

FUTURE LAND USE MAP

Zoning Case :

Z-FY-17-20

Address :

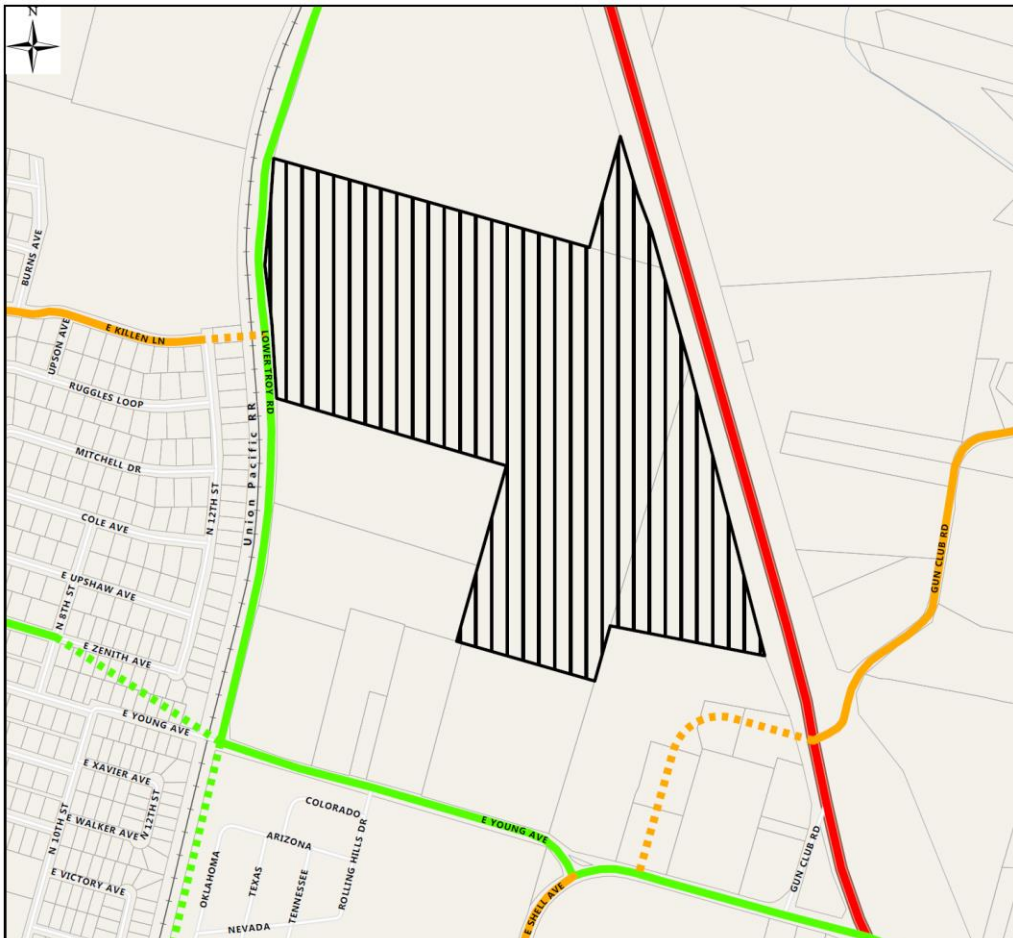
3131 Lower Troy Rd

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

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.

tylerly

Date: 2/16/2017



AG To SF-3, GR,& O-2 THOROUGHFARE AND TRAILS MAP

Zoning Case :

Z-FY-17-20

Address :

3131 Lower Troy Rd

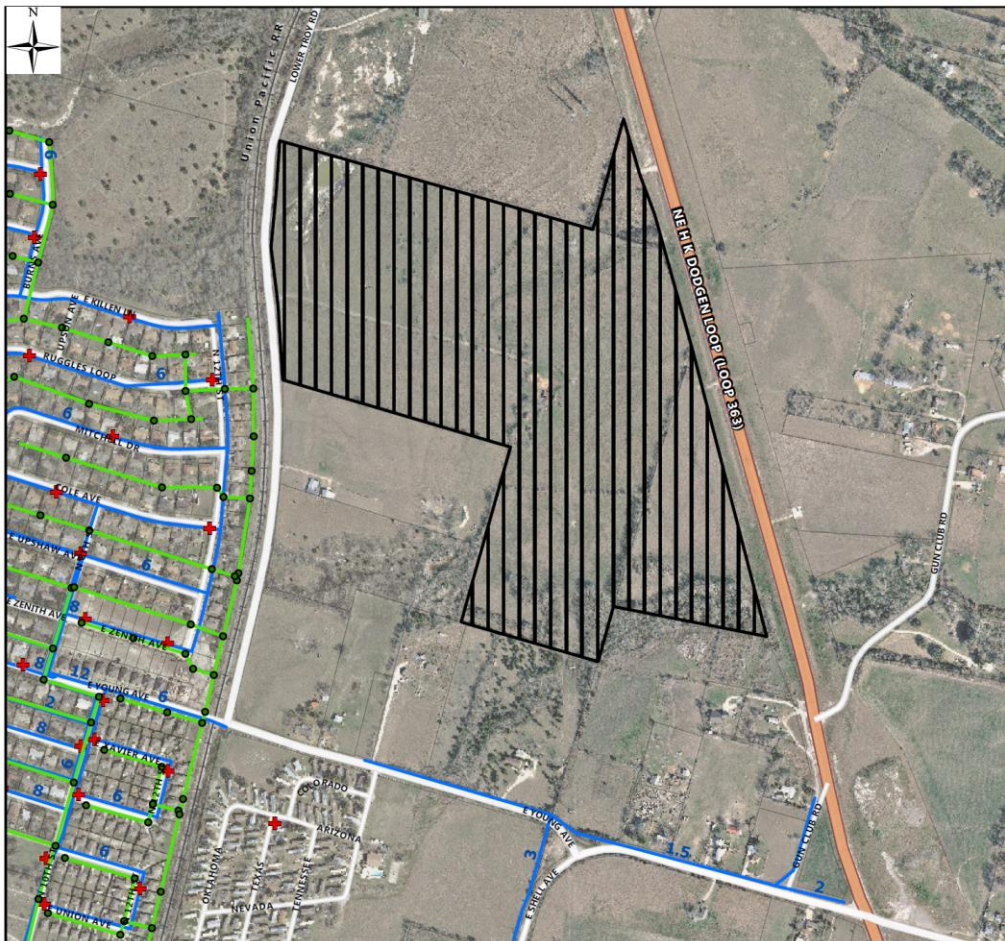
- Parcels
- Thoroughfare Plan
 - Expressway
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Collector
 - Proposed Collector
 - CaseArea

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tylerly

Date: 2/16/2017





AG To SF-3,GR,& O-2

UTILITY MAP

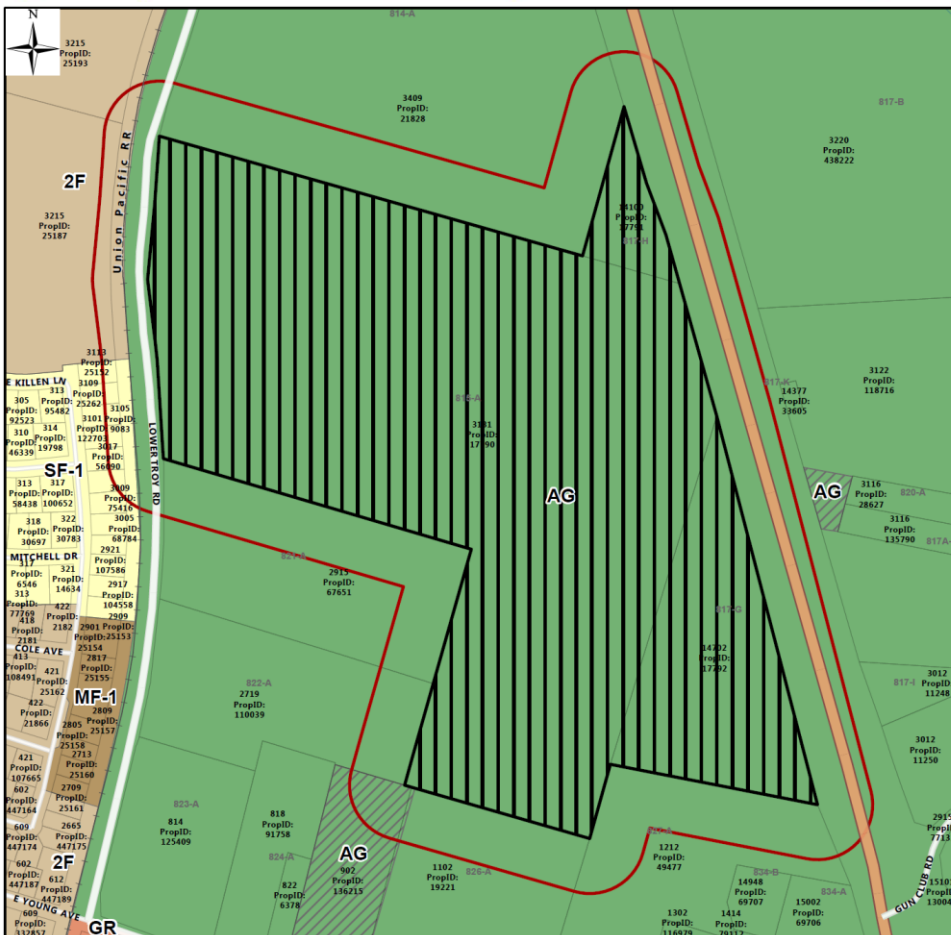
Zoning Case :
Z-FY-17-20

Address :
3131 Lower Troy Rd

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

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

tylerly
Date: 2/16/2017



AG TO SF-3, GR,& O-2

200' NOTIFICATION MAP

Zoning Case :
Z-FY-17-20

Address :
3131 Lower Troy Rd

- | | | |
|----------------|--------------|------------|
| CurrentZoning | O-1 | AG - CUP |
| HI - CUP | O-1 - CUP | MH |
| UE | O-1 - PD | MH - CUP |
| UE - PD | O-2 | MH - PD |
| SF-1 | O-2 - CUP | MU |
| SF-1 - CUP | O-2 - PD | MU - CUP |
| SF-1 - PD | NS | SD-C |
| SF-2 | NS - CUP | SD-C - CUP |
| SF-2 - PD | NS - PD | SD-H |
| SF-3 | GR | SD-H - CUP |
| SF-3 - PD | GR - CUP | SD-T |
| SF-3 - CUP, PD | GR - PD | SD-V |
| SFA | GR - CUP, PD | T4 |
| SFA-2 | CA | T4 - PD |
| SFA-2 - PD | CA - CUP | T4 - CUP |
| SFA-3 | CA - PD | TS-C |
| SFA-3 - PD | C | TS-C - CUP |
| 2F | C - CUP | TS-C - PD |
| 2F - CUP | C - PD | TS-E |
| MF-1 | C - CUP, PD | TS-E - CUP |
| MF-1 - CUP | LI | TS-E - PD |
| MF-1 - PD | LI - CUP | NO BASE |
| MF-2 | LI - CUP | CUP |
| MF-2 - CUP | LI - CUP, PD | PD |
| MF-2 - PD | HI | 200Buffer |
| MF-3 - PD | HI - PD | CaseArea |
| | AG | |

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

tylerly
Date: 2/22/2017



DEVELOPMENT REGULATIONS:

	<u>Proposed (SF-3)</u>	<u>Current (AG)</u>
Minimum Lot Size	4,000 Square Feet	1 Acre
Minimum Lot Width	40 Feet	100 Feet
Minimum Lot Depth	100 Feet	150 Feet
Front Setback	15 Feet	50 Feet
Side Setback	5 Feet	15 Feet
Side Setback (corner)	15 Feet	15 Feet
Rear Setback	10 Feet	10 Feet
Max Building Height	2-1/2 Stories	3 Stories
ALH - Any Legal Height not Prohibited by other Laws		
* UDC Sect 4.4 - Measurements and Special Case		

	<u>Proposed (O-2)</u>	<u>Proposed (GR)</u>
Minimum Lot Size	6000	N/A
Minimum Lot Width	50 Feet	N/A
Minimum Lot Depth	100 Feet	N/A
Front Setback	*25 Feet	15 Feet
Side Setback	10% Lot Width 5 feet min.	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	*0 Feet
Max Building Height	*ALH	3 Stories
ALH - Any Legal Height not Prohibited by other Laws		
* UDC Sect 4.4 - Measurements and Special Case		

Permitted & Conditional Use Table – Office-Two (O-2)

Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	* Retail Shop, * Offices * Bank or Savings and Loans * Alcoholic Beverage Sales with CUP (not package store)
Commercial Uses	N/A
Industrial Uses	* Petroleum or Gas Well
Recreational Uses	* Park or Playground
Vehicle Service Uses	N/A
Restaurant Uses	* With & Without Drive-In
Overnight Accommodations	* Hotel or Motel
Transportation Uses	* Emergency Vehicle Service * Helistop

Permitted & Conditional Use Table – Single Family-Three (SF-3)

Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached) * Industrialized Housing
Retail & Service Uses	N/A
Commercial Uses	N/A
Industrial Uses	N/A
Recreational Uses	* Park or Playground
Vehicle Service Uses	N/A
Restaurant Uses	N/A
Overnight Accommodations	N/A
Transportation Uses	*Railroad track right-of-way or team track

Permitted & Conditional Use Table - General Retail (GR)

Agricultural Uses	<ul style="list-style-type: none"> * Farm, Ranch or Orchard
Residential Uses	<ul style="list-style-type: none"> * Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	<ul style="list-style-type: none"> * Most Retail & Service Uses * Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)
Commercial Uses	<ul style="list-style-type: none"> * Plumbing Shop * Upholstery Shop * Kennel without Veterinary Hospital (CUP) * Indoor Flea Market
Industrial Uses	<ul style="list-style-type: none"> * Temporary Asphalt & Concrete Batching Plant (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	<ul style="list-style-type: none"> * Park or Playground * Beer & Wine (On Premise Consumption) < 75%
Vehicle Service Uses	<ul style="list-style-type: none"> * Auto Leasing, Rental * Auto Sales - New & Used (outside Lot) * Car Wash * Vehicle Servicing (Minor)
Restaurant Uses	<ul style="list-style-type: none"> * With & Without Drive-In
Overnight Accommodations	<ul style="list-style-type: none"> * Hotel or Motel
Transportation Uses	<ul style="list-style-type: none"> * Emergency Vehicle Service * Helistop

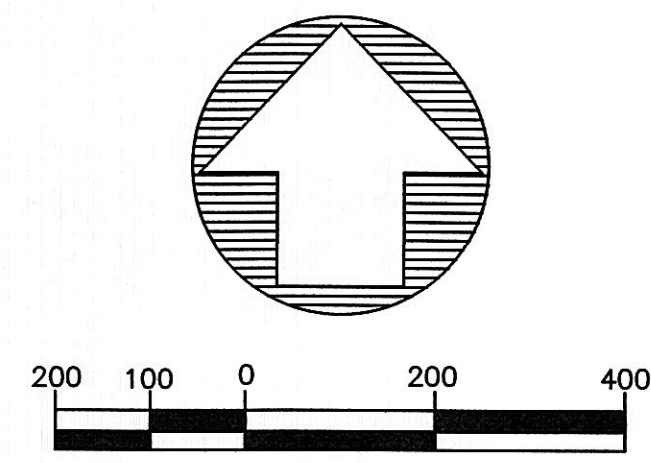
Surrounding Property & Uses			
<u>Direction</u>	<u>Future Land Use Map</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Commercial, and Suburban Residential	AG	Agricultural
North	Suburban Commercial	AG	Agricultural
South	Suburban Residential	AG	Agricultural
West	Suburban Residential, Neighborhood Conservation, & Auto-Urban Residential	2F, SF-1, & MF-1	Undeveloped Land, Single-Family & Multi-Family Residential
East	Agricultural/Rural	AG	Agricultural

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

:

<u>Document</u>	<u>Policy, Goal, Objective or Map</u>	<u>Compliance?</u>
CP	Map 3.1 - Future Land Use 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



Line Table		
Line #	Length	Direction
L1	293.71'	N07°02'55"W
CALLS	294.24'	N04°20'04"W
L2	226.79'	N05°51'59"E
CALLS	226.31'	N08°41'13"E
L3	300.11'	N03°28'18"E
CALLS	300.11'	N06°13'10"E
L4	149.63'	S73°55'50"E
CALLS	1421.63'	S71°07'39"E
L5	73.31'	S15°45'34"W
L6	176.58'	S39°39'08"W
L7	204.45'	S15°45'34"W
L8	274.57'	S74°14'26"E
L9	111.22'	N74°40'53"E
L10	36.42'	N76°01'46"W
L11	233.79'	N79°16'04"W
CALLS	777.84'	M76°21'14"W
L12	37.75'	S73°55'50"E
CALLS	1421.63'	S71°07'39"E
L13	200.75'	S20°03'25"E
L14	200.73'	S15°22'43"E

Curve Table			
Curve #	Radius	Chord	Length
C1	542.21'	S25°15'43"W 179.03'	179.85'
C2	970.00'	N80°06'39"E 183.58'	183.85'

TRACT 1
BEING a 15.137 acre tract situated in the B. STRACENER SURVEY, ABSTRACT No. 746, Bell County, Texas and being a part or portion of that certain 67.00 acre tract of land (TRACT ONE) described in a Warranty Deed with Vendor's Lien dated October 15, 2015 from Alton C. Boston aka A. C. Boston and wife, Nancy Boston to 3 Nex-Gen Devel LLC, a Texas limited liability company and being of record in Document No. 2015-00040147, Official Public Records of Bell County, Texas.

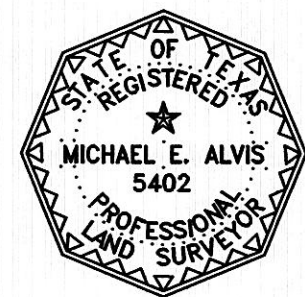
TRACT 2
BEING a 52.243 acre tract situated in the B. STRACENER SURVEY, ABSTRACT No. 746 and the H. B. BALCH SURVEY, ABSTRACT No. 976, both in Bell County, Texas and being all of that certain 67.00 acre tract of land (TRACT ONE) and a part or portion of that certain 11.83 acre tract of land (TRACT THREE) described in a Warranty Deed with Vendor's Lien dated October 15, 2015 from Alton C. Boston aka A. C. Boston and wife, Nancy Boston to 3 Nex-Gen Devel LLC, a Texas limited liability company and being of record in Document No. 2015-00040147, Official Public Records of Bell County, Texas.

TRACT 3
BEING a 13.793 acre tract situated in the B. STRACENER SURVEY, ABSTRACT No. 746, and the H. B. BALCH SURVEY, ABSTRACT No. 976, both in Bell County, Texas and being all of that certain 67.00 acre tract of land (TRACT ONE) and all of that certain 2.36 acre tract of land (TRACT TWO) and all of that certain 11.83 acre tract of land (TRACT THREE) described in a Warranty Deed with Vendor's Lien dated October 15, 2015 from Alton C. Boston aka A. C. Boston and wife, Nancy Boston to 3 Nex-Gen Devel LLC, a Texas limited liability company and being of record in Document No. 2015-00040147, Official Public Records of Bell County, Texas.

STATE OF TEXAS I KNOW ALL MEN BY THESE PRESENTS, that I
Michael E. Alvis, a Registered Professional Land
COUNTY OF BELL I Surveyor in the State of Texas, do hereby certify that
this survey was this day made on the ground of the property described
herein and is correct.

IN WITNESS THEREOF, my hand and seal, this the 1st day of February, 2016.

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



TURLEY ASSOCIATES, INC.
ENGINEERING • PLANNING • SURVEYING
301 N. 3rd St.
TEMPLE, TEXAS 76501
TBP# No. F-1658 • TBPLS No. 10056000
254.773.2400
www.turley-inc.com

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ZONING MAP:
81.173 ACRES
IN THE B. STRACENER SURVEY, ABSTRACT No. 746, Bell County, Texas and being a part or portion of that certain 67.00 acre tract of land (TRACT ONE) described in a Warranty Deed with Vendor's Lien dated October 15, 2015 from Alton C. Boston aka A. C. Boston and wife, Nancy Boston to 3 Nex-Gen Devel LLC, a Texas limited liability company and being of record in Document No. 2015-00040147, Official Public Records of Bell County, Texas.
DEVELOPED BY:
3 NEX-GEN DEVEL, LLC.
7348 W. ADAMS AVENUE, SUITE 700
TEMPLE, TX 76502

REVISIONS		
DATE	DESCRIPTION	DFTR

DRAFTSMAN:
T JAHOS
DATE:
JANUARY 27, 2017
COMPUTER FILE NAME:
15398.am.v2.dwg
REFERENCE DRAWING NUMBERS:
n/a
JOB NUMBER:
15-398
DRAWING NUMBER:
15398-D
PAGE #
01



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

MAYBORN, FRANK ENTERPRISES INC
PO BOX 6114
TEMPLE, TX 76503-6114

Zoning Application Number: Z-FY-17-20

Case Manager: Tammy Lyerly

Location: 3131 Lower Troy Road

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

I ☒ agree

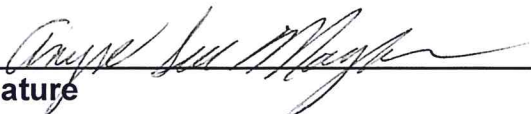
() disagree with this request

Comments:

RECEIVED

MAR - 2 2017

City of Temple
Planning & Development


Signature

Anyse Sue Mayborn, President
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, tylerly@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **March 6, 2017**.

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

Number of Notices Mailed: 18

Date Mailed: February 24, 2017

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

MACHALEK, WILLIAM JOE ETUX FAYE
5 W ZENITH AVE
TEMPLE, TX 76501-1545

298-5273

Zoning Application Number: Z-FY-17-20

Case Manager: Tammy Lyerly

Location: 3131 Lower Troy Road

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

I () agree

(X) disagree with this request

Comments:

Lower Troy road not good enough for more traffic.
East Young (500 Block) too narrow. Will schools
be able to handle increase in students (Somers
Jefferson, Harissa). More trash on road and ditches.
No safe access from north east loop.

WJ Machalek
Signature

W. J. Machalek
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, tylerly@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **March 6, 2017**.

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

Number of Notices Mailed: 18

Date Mailed: February 24, 2017

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

RECEIVED

MAR - 6 2017

City of Temple
Planning & Development

ORDINANCE NO. _____
(Z-FY-17-20)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO SINGLE FAMILY THREE, GENERAL RETAIL, AND OFFICE TWO ZONING DISTRICTS ON APPROXIMATELY 81.173 ACRES SITUATED IN THE B. STRACENER SURVEY, ABSTRACT NO. 746, BELL COUNTY, TEXAS, LOCATED AT 3131 LOWER TROY 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 Agricultural zoning district to Single Family Three, General Retail, and Office Two zoning districts on approximately 81.173 acres, situated in the B. Stracener Survey, Abstract No. 746, Bell County, Texas, located at 3131 Lower Troy Road, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: Staff recommends approval for a rezoning from Agricultural zoning district to Single Family Three, General Retail, and Office Two zoning districts.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 6th day of April, 2017.

PASSED AND APPROVED on Second Reading on the **20th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #9
Regular Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing amendments the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2022 Master Plan for years FY 2017-2019.

STAFF RECOMMENDATION: Conduct a public hearing and adopt ordinance as presented; and set second and final reading for April 20, 2017.

ITEM SUMMARY: The Reinvestment Zone No. 1 Finance and Project Committees have met and discussed the 2022 Master Plan Projects. The result of the meeting is recommended changes to the Financing and Project Plans to continue with the execution of the 2022 Master Plan. The focus of the proposed amendment is for the fiscal years 2017-2019, however, state law requires a financing and project plan to span the life of the Zone.

The Reinvestment Zone No. 1 Board approved these amendments at its April 5, 2017 board meeting.

The proposed amendment allocates funding for the following projects:

- Design and construction of a Corporate airport hangar
- Design and construction of an extension of 'TMED' South 1st street
- Additional funding for construction of Cross Roads Park @ Pepper Creek Trail
- Design and Construction of a parking lot for the Pepper Creek Trail

Funding for the projects is available from the combination of State and Federal Airport Grants, a tenant contribution for their requested upgrades to the Corporate airport hangar, deletion of the allocation for the Airport taxiway improvements that are not needed at the current time, moving \$5,000,000 of the \$10,000,000 allocated to Temple Independent School District to FY 2018 to align with the contractual obligation to make the payment, transferring project funding between bond and cash funding for Research Parkway, and reducing the amount of funding allocated for the construction of Veterans Memorial Boulevard in FY 2019.

The following table summarizes the amendment to the Financing Plan by line item #, project description, funding year and amount of increase (decrease):

Line #	Description	FY 2017	FY 2018	FY 2019
409	TISD-Obligation per Contract	\$ (5,000,000)	\$ 5,000,000	\$ -
10	NPE Airport Grant Revenue	\$ 150,000	\$ -	\$ -
14	Miscellaneous Reimbursement	\$ 150,000	\$ -	\$ -
509	RAMP Grant Project	\$ (100,000)	\$ -	\$ -
207	Cross Roads Park @ Pepper Creek Trail	\$ 1,000,000	\$ -	\$ -
305	Research Parkway I35 to Wendland	\$ (1,000,000)	\$ 1,000,000	\$ -
510	Airport Hangar	\$ 1,620,000	\$ -	\$ -
155	Pepper Creek Trail Hwy 36 to McLane Pkwy-parking lot	\$ 150,000	\$ -	\$ -
466	TMED South 1st Street Design	\$ 120,000	\$ -	\$ -
466	TMED South 1st Street Construction	\$ 1,200,000	\$ -	\$ -
507	Airport Taxiway	\$ -	\$ (1,310,000)	\$ -
464	Veteran's Memorial Blvd. Phase II	\$ -	\$ -	\$ (2,500,000)
	Net change in projects	\$ (2,310,000)	\$ 4,690,000	\$ (2,500,000)

The following is a summary of funding for the 2022 Master Plan projects:

Project Description	Bond Issue		2018	2019	2020	2021	2022	TOTAL
	2017	2017						
Temple Industrial Park	\$ -	\$ -	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 400,000
Corporate Campus Park	150,000	-	-	-	-	-	-	150,000
Bioscience Park	-	1,000,000	-	-	-	-	-	1,000,000
Research Parkway/Outer Loop	400,000	14,600,000	1,000,000	-	10,750,000	-	-	26,750,000
Downtown	9,550,000	3,400,000	7,700,000	450,000	450,000	450,000	450,000	22,450,000
TMED	1,320,000	-	-	3,960,000	-	-	-	5,280,000
Airport Park	1,620,000	-	-	-	-	-	-	1,620,000
Public Improvements	-	-	-	-	-	5,500,000	7,000,000	12,500,000
MASTER PLAN PROJECT FUNDING	\$ 13,040,000	\$ 19,000,000	\$ 9,100,000	\$ 4,410,000	\$ 11,200,000	\$ 5,950,000	\$ 7,450,000	\$ 70,150,000

See the attached "TRZ Master Plan Project Funding (2017-2022)" for more detail on the projects. All changes have been highlighted in yellow.

FISCAL IMPACT: Below is a table summarizing the Source and Use of funds included in the Financing and Project Plans.

Description	2017	2018	2019	2020	2021	2022	Future Years
Available FB ⁽¹⁾ @ October 1	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289
Total Source of Funds	39,486,878	16,107,145	15,303,122	15,500,830	15,651,671	16,317,253	862,639,314
Total Debt & Operating Exp.	7,305,206	8,153,914	8,158,180	8,250,801	8,252,105	8,236,757	79,283,805
Total Planned Project Exp.	56,032,298	9,100,000	4,410,000	11,200,000	5,950,000	7,450,000	787,061,798
Available FB ⁽¹⁾ @ September 30	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289	\$ -

⁽¹⁾ - Fund Balance

ATTACHMENTS:

Financing Plan
Summary Financing Plan with Detailed Project Plan
Summary - TRZ Master Plan Project Funding (2017 - 2022)
TRZ Master Plan Project Funding (2017 - 2022)
Ordinance

Financing Plan - 04/05/17 to Zone Board

		Revised					
DESCRIPTION		Y/E 9/30/17 Year 35	Y/E 9/30/18 Year 36	Y/E 9/30/19 Year 37	Y/E 9/30/20 Year 38	Y/E 9/30/21 Year 39	Y/E 9/30/22 Year 40
1	"Taxable Increment"	\$ 435,256,703	\$ 382,863,680	\$ 370,649,604	\$ 377,916,559	\$ 382,213,195	\$ 427,532,778
1	FUND BALANCE, Begin	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793
SOURCES OF FUNDS:							
4	Tax Revenues	19,371,450	16,265,121	15,459,007	15,659,726	15,823,016	16,519,039
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(290,572)	(243,977)	(231,885)	(234,896)	(237,345)	(247,786)
8	Interest Income-Other	50,000	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	1,170,000	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	150,000	-	-	-	-	-
17	Bond Proceeds	19,000,000	-	-	-	-	-
20	Total Sources of Funds	\$ 39,486,878	\$ 16,107,144	\$ 15,303,122	\$ 15,500,830	\$ 15,651,671	\$ 16,317,253
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 67,325,529	\$ 20,095,169	\$ 18,144,378	\$ 21,077,028	\$ 17,277,898	\$ 19,393,046
USE OF FUNDS:							
DEBT SERVICE							
27	2009 Bond Refunding	1,510,150	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	76,400	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32	Debt Service - 2017 Issue {\$19 mil}	344,583	1,452,000	1,454,500	1,451,700	1,452,200	1,452,100
35	Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,700
40	Subtotal-Debt Service	6,120,023	7,220,051	7,224,317	7,316,938	7,316,864	7,301,416
OPERATING EXPENDITURES							
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	214,390	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	238,243	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	26,250	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,185,183	933,863	933,863	933,863	935,241	935,341
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 7,305,206	\$ 8,153,914	\$ 8,158,180	\$ 8,250,801	\$ 8,252,105	\$ 8,236,757
80	Funds Available for Projects	\$ 60,020,323	\$ 11,941,256	\$ 9,986,198	\$ 12,826,227	\$ 9,025,793	\$ 11,156,289
PROJECTS							
150	Temple Industrial Park	696,509	400,000	-	-	-	-
200	Corporate Campus Park	1,651,520	-	-	-	-	-
250	Bioscience Park	4,814,692	-	-	-	-	-
350	Research Parkway	21,229,812	1,000,000	-	10,750,000	-	-
400	Synergy Park	501,701	-	-	-	-	-
450	Downtown	17,886,895	7,700,000	450,000	450,000	450,000	450,000
500	TMED	7,304,245	-	3,960,000	-	-	-
550	Airport Park	1,946,924	-	-	-	-	-
610	Public Improvements	-	-	-	-	5,500,000	7,000,000
	Subtotal-Projects	56,032,298	9,100,000	4,410,000	11,200,000	5,950,000	7,450,000
TOTAL USE OF FUNDS		\$ 63,337,504	\$ 17,253,914	\$ 12,568,180	\$ 19,450,801	\$ 14,202,105	\$ 15,686,757
700	FUND BALANCE, End	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289

DESCRIPTION		2023 41	2024 42	2025 43	2026 44	2027 45	2028 46	2029 47	2030 48	2031 49	2032 50
1	"Taxable Increment"	\$ 450,142,634	\$ 496,141,511	\$ 537,771,984	\$ 660,938,023	\$ 689,548,837	\$ 696,444,325	\$ 703,408,769	\$ 710,442,856	\$ 717,547,285	\$ 724,722,758
1	FUND BALANCE, Begin	\$ 3,706,289	\$ 2,549,157	\$ 2,589,183	\$ 2,759,223	\$ 2,850,949	\$ 3,161,901	\$ 3,169,415	\$ 3,385,358	\$ 3,794,771	\$ 3,906,806
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 3,706,289	\$ 2,549,157	\$ 2,589,183	\$ 2,759,223	\$ 2,850,949	\$ 3,161,901	\$ 3,169,415	\$ 3,385,358	\$ 3,794,771	\$ 3,906,806
SOURCES OF FUNDS:											
4	Tax Revenues	16,921,830	17,628,841	18,280,346	19,989,672	20,474,693	20,679,426	20,886,206	21,095,054	21,305,990	21,519,035
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(253,827)	(264,433)	(274,205)	(299,845)	(307,120)	(310,191)	(313,293)	(316,426)	(319,590)	(322,786)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 16,714,003	\$ 17,410,408	\$ 18,052,141	\$ 19,735,827	\$ 20,213,573	\$ 20,415,235	\$ 20,618,913	\$ 20,824,628	\$ 21,032,400	\$ 21,242,249
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 20,420,292	\$ 19,959,565	\$ 20,641,324	\$ 22,495,050	\$ 23,064,521	\$ 23,577,135	\$ 23,788,328	\$ 24,209,986	\$ 24,827,171	\$ 25,149,056
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
32	Debt Service - 2017 Issue {\$19 mil}	1,454,500	1,455,700	1,455,700	1,454,500	1,454,000	1,456,500	1,451,750	1,455,000	1,455,750	1,454,000
35	Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40	Subtotal-Debt Service	3,485,794	3,483,594	3,495,313	3,507,313	3,514,313	3,519,413	3,514,663	3,525,313	3,530,463	3,540,113
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65	Subtotal-Operating Expenditures	935,341	936,788	936,788	936,788	938,307	938,307	938,307	939,902	939,902	939,902
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,421,135	\$ 4,420,382	\$ 4,432,101	\$ 4,444,101	\$ 4,452,620	\$ 4,457,720	\$ 4,452,970	\$ 4,465,215	\$ 4,470,365	\$ 4,480,015
80	Funds Available for Projects	\$ 15,999,157	\$ 15,539,183	\$ 16,209,223	\$ 18,050,949	\$ 18,611,901	\$ 19,119,415	\$ 19,335,358	\$ 19,744,771	\$ 20,356,806	\$ 20,669,041
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	13,000,000	12,500,000	13,000,000	14,750,000	15,000,000	15,500,000	15,500,000	15,500,000	16,000,000	16,000,000
	Subtotal-Projects	13,450,000	12,950,000	13,450,000	15,200,000	15,450,000	15,950,000	15,950,000	15,950,000	16,450,000	16,450,000
TOTAL USE OF FUNDS		\$ 17,871,135	\$ 17,370,382	\$ 17,882,101	\$ 19,644,101	\$ 19,902,620	\$ 20,407,720	\$ 20,402,970	\$ 20,415,215	\$ 20,920,365	\$ 20,930,015
700	FUND BALANCE, End	\$ 2,549,157	\$ 2,589,183	\$ 2,759,223	\$ 2,850,949	\$ 3,161,901	\$ 3,169,415	\$ 3,385,358	\$ 3,794,771	\$ 3,906,806	\$ 4,219,041

DESCRIPTION		2033 51	2034 52	2035 53	2036 54	2037 55	2038 56	2039 57	2040 58	2041 59	2042 60
1	"Taxable Increment"	\$ 731,969,985	\$ 739,289,685	\$ 746,682,582	\$ 754,149,408	\$ 761,690,902	\$ 769,307,811	\$ 777,000,889	\$ 784,770,898	\$ 792,618,607	\$ 800,544,793
1	FUND BALANCE, Begin	\$ 4,219,041	\$ 4,232,799	\$ 4,055,537	\$ 4,594,235	\$ 4,597,294	\$ 4,823,108	\$ 4,975,932	\$ 4,851,896	\$ 4,955,097	\$ 4,787,809
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 4,219,041	\$ 4,232,799	\$ 4,055,537	\$ 4,594,235	\$ 4,597,294	\$ 4,823,108	\$ 4,975,932	\$ 4,851,896	\$ 4,955,097	\$ 4,787,809
SOURCES OF FUNDS:											
4	Tax Revenues	21,734,211	21,951,539	22,171,040	22,392,736	22,616,650	22,842,802	23,071,215	23,301,913	23,534,918	23,770,253
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(326,013)	(329,273)	(332,566)	(335,891)	(339,250)	(342,642)	(346,068)	(349,529)	(353,024)	(356,554)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 21,454,198	\$ 21,668,266	\$ 21,884,474	\$ 22,102,845	\$ 22,323,400	\$ 22,546,160	\$ 22,771,147	\$ 22,998,384	\$ 23,227,894	\$ 23,459,699
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 25,673,239	\$ 25,901,064	\$ 25,940,012	\$ 26,697,080	\$ 26,920,694	\$ 27,369,268	\$ 27,747,079	\$ 27,850,280	\$ 28,182,992	\$ 28,247,508
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,092,913	-	-	-	-	-	-	-	-	-
32	Debt Service - 2017 Issue {\$19 mil}	1,454,750	1,452,750	1,453,000	1,455,250	1,454,250	-	-	-	-	-
35	Paying Agent Services	1,200	1,200	1,200	1,200	-	-	-	-	-	-
40	Subtotal-Debt Service	3,548,863	1,453,950	1,454,200	1,456,450	1,454,250	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	35,177	35,177	35,177	36,936	36,936	36,936	38,783	38,783	38,783	40,722
65	Subtotal-Operating Expenditures	941,577	941,577	941,577	943,336	943,336	943,336	945,183	945,183	945,183	947,122
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,490,440	\$ 2,395,527	\$ 2,395,777	\$ 2,399,786	\$ 2,397,586	\$ 943,336	\$ 945,183	\$ 945,183	\$ 945,183	\$ 947,122
80	Funds Available for Projects	\$ 21,182,799	\$ 23,505,537	\$ 23,544,235	\$ 24,297,294	\$ 24,523,108	\$ 26,425,932	\$ 26,801,896	\$ 26,905,097	\$ 27,237,809	\$ 27,300,386
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	16,500,000	19,000,000	18,500,000	19,250,000	19,250,000	21,000,000	21,500,000	21,500,000	22,000,000	22,000,000
	Subtotal-Projects	16,950,000	19,450,000	18,950,000	19,700,000	19,700,000	21,450,000	21,950,000	21,950,000	22,450,000	22,450,000
TOTAL USE OF FUNDS		\$ 21,440,440	\$ 21,845,527	\$ 21,345,777	\$ 22,099,786	\$ 22,097,586	\$ 22,393,336	\$ 22,895,183	\$ 22,895,183	\$ 23,395,183	\$ 23,397,122
700	FUND BALANCE, End	\$ 4,232,799	\$ 4,055,537	\$ 4,594,235	\$ 4,597,294	\$ 4,823,108	\$ 4,975,932	\$ 4,851,896	\$ 4,955,097	\$ 4,787,809	\$ 4,850,386

DESCRIPTION		2043 61	2044 62	2045 63	2046 64	2047 65	2048 66	2049 67	2050 68	2051 69	2052 70
1	"Taxable Increment"	\$ 808,550,241	\$ 816,635,743	\$ 824,802,101	\$ 833,050,122	\$ 841,380,623	\$ 849,794,429	\$ 858,292,373	\$ 866,875,297	\$ 875,544,050	\$ 884,299,491
1	FUND BALANCE, Begin	\$ 4,850,386	\$ 5,183,512	\$ 5,217,019	\$ 5,450,771	\$ 5,388,829	\$ 5,533,234	\$ 5,383,913	\$ 5,445,088	\$ 5,218,864	\$ 5,205,121
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 4,850,386	\$ 5,183,512	\$ 5,217,019	\$ 5,450,771	\$ 5,388,829	\$ 5,533,234	\$ 5,383,913	\$ 5,445,088	\$ 5,218,864	\$ 5,205,121
SOURCES OF FUNDS:											
4	Tax Revenues	20,334,364	20,537,694	20,743,056	20,950,473	21,159,963	21,371,548	21,585,250	21,801,088	22,019,084	22,239,261
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(305,015)	(308,065)	(311,146)	(314,257)	(317,399)	(320,573)	(323,779)	(327,016)	(330,286)	(333,589)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 20,075,349	\$ 20,275,629	\$ 20,477,910	\$ 20,682,216	\$ 20,888,564	\$ 21,096,975	\$ 21,307,471	\$ 21,520,072	\$ 21,734,798	\$ 21,951,672
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 24,925,734	\$ 25,459,141	\$ 25,694,929	\$ 26,132,987	\$ 26,277,392	\$ 26,630,209	\$ 26,691,384	\$ 26,965,160	\$ 26,953,662	\$ 27,156,793
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32	Debt Service - 2017 Issue {\$19 mil}	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40	Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,100	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	40,722	40,722	42,758	42,758	42,758	44,896	44,896	44,896	47,141	47,141
65	Subtotal-Operating Expenditures	792,222	792,122	794,158	794,158	794,158	796,296	796,296	796,296	798,541	798,541
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 792,222	\$ 792,122	\$ 794,158	\$ 794,158	\$ 794,158	\$ 796,296	\$ 796,296	\$ 796,296	\$ 798,541	\$ 798,541
80	Funds Available for Projects	\$ 24,133,512	\$ 24,667,019	\$ 24,900,771	\$ 25,338,829	\$ 25,483,234	\$ 25,833,913	\$ 25,895,088	\$ 26,168,864	\$ 26,155,121	\$ 26,358,252
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	18,500,000	19,000,000	19,000,000	19,500,000	19,500,000	20,000,000	20,000,000	20,500,000	20,500,000	20,500,000
	Subtotal-Projects	18,950,000	19,450,000	19,450,000	19,950,000	19,950,000	20,450,000	20,450,000	20,950,000	20,950,000	20,950,000
TOTAL USE OF FUNDS		\$ 19,742,222	\$ 20,242,122	\$ 20,244,158	\$ 20,744,158	\$ 20,744,158	\$ 21,246,296	\$ 21,246,296	\$ 21,746,296	\$ 21,748,541	\$ 21,748,541
700	FUND BALANCE, End	\$ 5,183,512	\$ 5,217,019	\$ 5,450,771	\$ 5,388,829	\$ 5,533,234	\$ 5,383,913	\$ 5,445,088	\$ 5,218,864	\$ 5,205,121	\$ 5,408,252

DESCRIPTION		2053 71	2054 72	2055 73	2056 74	2057 75	2058 76	2059 77	2060 78	2061 79	2062 80
1	"Taxable Increment"	\$ 893,142,486	\$ 902,073,910	\$ 911,094,650	\$ 920,205,596	\$ 929,407,652	\$ 938,701,729	\$ 948,088,746	\$ 957,569,633	\$ 967,145,330	\$ 976,816,783
1	FUND BALANCE, Begin	\$ 5,408,252	\$ 5,330,426	\$ 5,471,475	\$ 5,335,970	\$ 5,426,145	\$ 5,241,781	\$ 5,287,634	\$ 5,566,005	\$ 5,576,621	\$ 5,324,427
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 5,408,252	\$ 5,330,426	\$ 5,471,475	\$ 5,335,970	\$ 5,426,145	\$ 5,241,781	\$ 5,287,634	\$ 5,566,005	\$ 5,576,621	\$ 5,324,427
SOURCES OF FUNDS:											
4	Tax Revenues	22,461,639	22,686,241	22,913,089	23,142,206	23,373,614	23,607,336	23,843,395	24,081,814	24,322,618	24,565,830
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(336,925)	(340,294)	(343,696)	(347,133)	(350,604)	(354,110)	(357,651)	(361,227)	(364,839)	(368,487)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 22,170,714	\$ 22,391,947	\$ 22,615,393	\$ 22,841,073	\$ 23,069,010	\$ 23,299,226	\$ 23,531,744	\$ 23,766,587	\$ 24,003,779	\$ 24,243,343
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 27,578,967	\$ 27,722,373	\$ 28,086,868	\$ 28,177,043	\$ 28,495,154	\$ 28,541,007	\$ 28,819,378	\$ 29,332,592	\$ 29,580,399	\$ 29,567,770
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32	Debt Service - 2017 Issue {\$19 mil}	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40	Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	47,141	49,498	49,498	49,498	51,973	51,973	51,973	54,572	54,572	54,572
65	Subtotal-Operating Expenditures	798,541	800,898	800,898	800,898	803,373	803,373	803,373	805,972	805,972	805,972
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 798,541	\$ 800,898	\$ 800,898	\$ 800,898	\$ 803,373	\$ 803,373	\$ 803,373	\$ 805,972	\$ 805,972	\$ 805,972
80	Funds Available for Projects	\$ 26,780,426	\$ 26,921,475	\$ 27,285,970	\$ 27,376,145	\$ 27,691,781	\$ 27,737,634	\$ 28,016,005	\$ 28,526,621	\$ 28,774,427	\$ 28,761,798
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	21,000,000	21,000,000	21,500,000	21,500,000	22,000,000	22,000,000	22,000,000	22,500,000	23,000,000	28,311,798
	Subtotal-Projects	21,450,000	21,450,000	21,950,000	21,950,000	22,450,000	22,450,000	22,450,000	22,950,000	23,450,000	28,761,798
TOTAL USE OF FUNDS		\$ 22,248,541	\$ 22,250,898	\$ 22,750,898	\$ 22,750,898	\$ 23,253,373	\$ 23,253,373	\$ 23,253,373	\$ 23,755,972	\$ 24,255,972	\$ 29,567,770
700	FUND BALANCE, End	\$ 5,330,426	\$ 5,471,475	\$ 5,335,970	\$ 5,426,145	\$ 5,241,781	\$ 5,287,634	\$ 5,566,005	\$ 5,576,621	\$ 5,324,427	\$ (0)

TIF Reinvestment Zone #1
Summary Financing Plan with Detailed Project Plan

Project Plan - 04/05/17 - to Zone Board

\$ 19,000,000
Bond Proceeds

SUMMARY FINANCING PLAN						
	Revised 2017	2018	2019	2020	2021	2022
1 Beginning Available Fund Balance, Oct 1	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793
20 Total Sources of Funds	39,486,878	16,107,144	15,303,122	15,500,830	15,651,671	16,317,253
2 Adjustments to Debt Service Reserve		-	-	-	-	-
25 Net Available for Appropriation	67,325,529	20,095,169	18,144,378	21,077,028	17,277,898	19,393,046
50/52 General Administrative Expenditures	176,300	176,300	176,300	176,300	176,300	176,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	214,390	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	238,243	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	26,250	27,563	27,563	27,563	28,941	28,941
27 Debt Service - 2009 Issue {Refunding}	1,510,150	1,488,750	1,485,000	-	-	-
28 Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue {Refunding}	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue {Refunding}	76,400	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue {\$25.260 mil}	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32 Debt Service - 2017 Issue {\$19 mil}	344,583	1,452,000	1,454,500	1,451,700	1,452,200	1,452,100
33 Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,700
70 Total Debt & Operating Expenditures	7,305,206	8,153,914	8,158,180	8,250,801	8,252,105	8,236,757
80 Funds Available for Projects	\$ 60,020,323	\$ 11,941,256	\$ 9,986,198	\$ 12,826,227	\$ 9,025,793	\$ 11,156,289

PROJECT PLAN						
	Revised 2017	2018	2019	2020	2021	2022
TEMPLE INDUSTRIAL PARK:						
101 Receiving & Delivery (R&D) Tracks	107,500	400,000	-	-	-	-
102 North Lucius McCelvey Extension	186,655					
108 31st Street Sidewalks Grant Match	52,354	-	-	-	-	-
109 31st Street Sidewalks	350,000	-	-	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	696,509	400,000	-	-	-	-
CORPORATE CAMPUS PARK:						
155 Pepper Creek Trail Hwy 36 to McLane Parkway	1,651,520	-	-	-	-	-
200 Total Corporate Campus Park	1,651,520	-	-	-	-	-
BIOSCIENCE PARK:						
207 Cross Roads Park @ Pepper Creek Trail	3,814,692	-	-	-	-	-
207 Cross Roads Park @ Pepper Creek Trail {bond funded}	1,000,000	-	-	-	-	-
250 Total Bio-Science Park	4,814,692	-	-	-	-	-
RESEARCH PARKWAY						
305 Research Pkwy (IH 35 to Wendland Ultimate) STAG grant	1,925,000	-	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate)	2,202,056	1,000,000	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate) {bond funded}	12,500,000	-	-	-	-	-
310 Research Pkwy (Wendland to McLane Pkwy)	1,081,176	-	-	-	-	-
315 Research Pkwy (McLane Pkwy to Central Point Pkwy)	1,021,580	-	-	-	-	-
320 Outer Loop (I35 South)	400,000	-	-	10,750,000	-	-
320 Outer Loop (I35 South) {bond funded}	2,100,000	-	-	-	-	-
350 Total Research Parkway	21,229,812	1,000,000	-	10,750,000	-	-
SYNERGY PARK:						
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	13,975	-	-	-	-	-
352 Entry Enhancement	487,726	-	-	-	-	-
400 Total Synergy Park	501,701	-	-	-	-	-
DOWNTOWN:						
401 Downtown Improvements {Transformation Team}	681,100	450,000	450,000	450,000	450,000	450,000
404 Santa Fe Plaza	8,039,332	1,500,000	-	-	-	-
404 Santa Fe Plaza {bond funded}	1,900,000	-	-	-	-	-
406 Intersection Improvements at Central & North 4th Street	-	750,000	-	-	-	-
407 Santa Fe Market Trail	716,463					
407 Santa Fe Market Trail {bond funded}	1,500,000	-	-	-	-	-
408 MLK Festival Fields	50,000	-	-	-	-	-
409 TISD-Obligation per Contract	5,000,000	5,000,000	-	-	-	-
450 Total Downtown	17,886,895	7,700,000	450,000	450,000	450,000	450,000
TMED:						
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-	-
459 31st Street/Loop 363 Improvements/Monumentation	2,037,205	-	-	-	-	-
460 Ave U TMED Ave. to 1st Street	2,884,670	-	-	-	-	-
461 TMED Master Plan (Health Care Campus)	20,150	-	-	-	-	-
462 TMED Master Plan & Thoroughfare Plan	55,000	-	-	-	-	-
464 Veteran's Memorial Blvd. Phase II	804,285	-	3,960,000	-	-	-
465 1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-	-
466 South 1st Street	1,320,000	-	-	-	-	-
500 Total TMED	7,304,245	-	3,960,000	-	-	-
AIRPORT PARK:						
507 Taxiway for Airport	63,700	-	-	-	-	-
508 Corporate Hangar Phase II	263,224	-	-	-	-	-
509 Airport RAMP Grant	-	-	-	-	-	-
510 Corporate Hangar	1,620,000					
550 Total Airport Park	1,946,924	-	-	-	-	-
610 Public Improvements	-	-	-	-	5,500,000	7,000,000
Total Planned Project Expenditures	56,032,298	9,100,000	4,410,000	11,200,000	5,950,000	7,450,000
700 Available Fund Balance at Year End	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289

SUMMARY TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

		2013-2016 		\$ 63,921,747								FY2017-2022
Available for allocation		\$ 25,361,960	\$ 19,374,500	\$ 19,185,287	\$ 12,464,306	\$ 19,000,000	\$ 7,953,231	\$ 7,144,942	\$ 7,250,029	\$ 7,399,566	\$ 8,080,496	\$ 69,292,570

	2013 Bond Issue		**See note**			Bond Issue						
	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
Temple Industrial Park	\$ -	\$ 114,275	\$ 7,222,395	\$ 596,882	\$ -	\$ -	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 8,333,552
Corporate Campus Park	127,600	1,037,300	3,090,693	1,700,000	150,000	-	-	-	-	-	-	6,105,593
Bioscience Park	245,000	1,505,000	-	2,425,000	-	1,000,000	-	-	-	-	-	5,175,000
Research Parkway	5,665,000	800,000	-	2,925,000	400,000	14,600,000	1,000,000	-	10,750,000	-	-	36,140,000
Synergy Park	-	838,578	564,580	-	-	-	-	-	-	-	-	1,403,158
Downtown	644,100	-	2,389,450	4,655,400	9,550,000	3,400,000	7,700,000	450,000	450,000	450,000	450,000	30,138,950
TMED	948,738	7,975,000	5,911,540	4,005,000	1,320,000	-	-	3,960,000	-	-	-	24,120,278
Airport Park	170,000	1,150,000	2,186,497	465,000	1,620,000	-	-	-	-	-	-	5,591,497
Public Improvements	-	-	-	-	-	-	-	-	-	5,500,000	7,000,000	12,500,000
MASTER PLAN PROJECT FUNDING	\$ 7,800,438	\$ 13,420,153	\$ 21,365,155	\$ 16,772,282	\$ 13,040,000	\$ 19,000,000	\$ 9,100,000	\$ 4,410,000	\$ 11,200,000	\$ 5,950,000	\$ 7,450,000	\$ 129,508,028

	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
Favorable (Unfavorable) Balance		\$ 4,141,369	\$ (1,990,655)	\$ 2,413,005	\$ (575,694)	\$ -	\$ (1,146,769)	\$ 2,734,942	\$ (3,949,971)	\$ 1,449,566	\$ 630,496	\$ 3,706,289
Cumulative Favorable (Unfavorable)		\$ 4,141,369	\$ 2,150,714	\$ 4,563,719	\$ 3,988,025	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289	

****Note**:** The amounts shown in FY 2017 for projects will not be the same as in the Financing Plan. The Financing Plan is a cumulative amount that includes previous years allocations. The cumulative balance available at the end of FY 2017 of \$3,988,025 balances to Line 700 of the Financing Plan.

TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

				2013-2016 < >				\$ 63,921,747						FY 2017-2022
Available for allocation			\$ 25,361,960	\$ 19,374,500	\$ 19,185,287	\$ 12,464,306	\$ 19,000,000	\$ 7,953,231	\$ 7,144,942	\$ 7,250,029	\$ 7,399,566	\$ 8,080,496	\$ 69,292,570	
Temple Industrial Park		**2013 Bond Issue**		Bond Issue										
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL	
1	North Lucius McCelvey Ext. (1/2) Design	-	114,275	-	-	-	-	-	-	-	-	-	114,275	
2	North Lucius McCelvey Ext. (1/2) Construction	-	-	2,150,491	-	-	-	-	-	-	-	-	2,150,491	
3	Northern Y Design				78,400	-	-	-	-	-			78,400	
4	Northern Y Construction					-	-	-	-	-			-	
5	Receiving & Delivery Tracks Preliminary Design				124,400	-	-	-	-	-			124,400	
6	Receiving & Delivery Tracks ROW				-	-	-	400,000	-	-			400,000	
7	Pepper Creek Main Stem Regional Detention Pond Construction	-	-	1,041,129	-	-	-	-	-	-	-	-	1,041,129	
8	Property Acquisition	-	-	4,000,000	-	-	-	-	-	-	-	-	4,000,000	
9	N 31st Street Sidewalks Grant Match	-	-	30,775	44,082	-	-	-	-	-	-	-	74,857	
10	N 31st Street Sidewalks Construction	-	-	-	350,000	-	-	-	-	-	-	-	350,000	
11	Berger Road Improvements	-	-	-	-	-	-	-	-	-			-	
SUBTOTAL		-	114,275	7,222,395	596,882	-	-	400,000	-	-	-	-	8,333,552	
Corporate Campus Park		Bond Issue												
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL	
12	Pepper Creek Trail Hwy 36 to McLane Prkwy Design	93,700	256,300	-	-	-	-	-	-	-	-	-	350,000	
13	Pepper Creek Trail Hwy 36 to McLane Prkwy ROW	33,900	-	-	-	-	-	-	-	-	-	-	33,900	
14	Pepper Creek Trail Hwy 36 to McLane Prkwy Construction	-	71,000	-	1,700,000	150,000	-	-	-	-	-	-	1,921,000	
15	McLane Prkwy/Research Pkwy Connection Design	-	710,000	-	-	-	-	-	-	-	-	-	710,000	
16	McLane Prkwy/Research Pkwy Connection Construction	-	-	3,090,693	-	-	-	-	-	-	-	-	3,090,693	
SUBTOTAL		127,600	1,037,300	3,090,693	1,700,000	150,000	-	-	-	-	-	-	6,105,593	
Bioscience Park		Bond Issue												
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL	
17	Cross Roads Park @ Pepper Creek Trail Design	245,000	-	-	-	-	-	-	-	-	-	-	245,000	
18	Cross Roads Park @ Pepper Creek Trail Construction	-	1,505,000	-	2,425,000	-	1,000,000	-	-	-	-	-	4,930,000	
SUBTOTAL		245,000	1,505,000	-	2,425,000	-	1,000,000	-	-	-	-	-	5,175,000	
Research Parkway		Bond Issue												
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL	
19	Research Pkwy (IH35 to Wendland At Grade) Design	1,610,000	-	-	-	-	-	-	-	-	-	-	1,610,000	
20	Research Pkwy (IH35 to Wendland Ultimate) ROW	301,364	-	-	1,000,000	-	-	-	-	-	-	-	1,301,364	
21	Research Pkwy (IH35 to Wendland At Grade) Grant (Little Elm Sewer)	793,636	-	-	1,925,000	-	-	-	-	-	-	-	2,718,636	
22	Research Pkwy (IH35 to Wendland At Grade) Construction	-	-	-	-	-	12,500,000	1,000,000	-	-	-	-	13,500,000	
23	Research Pkwy (Wendland to McLane Prkwy) Design	960,000	-	-	-	-	-	-	-	-	-	-	960,000	
24	Research Pkwy (Wendland to McLane Prkwy) ROW	1,300,000	-	-	-	-	-	-	-	-	-	-	1,300,000	
25	Research Pkwy (Wendland to McLane Prkwy) Construction	-	-	-	-	-	-	-	-	-	-	-	-	
26	Research Pkwy (McLane Pkwy to Cen Pt Pkwy) Design	700,000	-	-	-	-	-	-	-	-	-	-	700,000	
27	Research Pkwy (McLane Pkwy to Cen Pt Pkwy) ROW	-	800,000	-	-	-	-	-	-	-	-	-	800,000	
28	Research Pkwy (McLane Pkwy to Cen Pt Pkwy) Construction	-	-	-	-	-	-	-	-	-	-	-	-	
29	Outer Loop (I35 South) Design	-	-	-	-	400,000	800,000	-	-	750,000	-	-	1,950,000	
30	Outer Loop (I35 South) ROW	-	-	-	-	-	1,300,000	-	-	-	-	-	1,300,000	
31	Outer Loop (I35 South) Construction	-	-	-	-	-	-	-	-	10,000,000	-	-	10,000,000	
SUBTOTAL		5,665,000	800,000	-	2,925,000	400,000	14,600,000	1,000,000	-	10,750,000	-	-	36,140,000	

TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

Synergy Park

Synergy Park							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
32	Entry Enhancement Design	-	75,000	-	-	-	-	-	-	-	-	-	75,000
33	Entry Enhancement Constr	-	425,000	-	-	-	-	-	-	-	-	-	425,000
34	Lorraine Drive/Panda Drive Service Road Design	-	-	-	-	-	-	-	-	-	-	-	-
35	Lorraine Drive/Panda Drive Service Road Construction	-	338,578	-	-	-	-	-	-	-	-	-	338,578
36	Lorraine Drive/Panda Drive {Panda Commitment}	-	-	564,580	-	-	-	-	-	-	-	-	564,580
SUBTOTAL		-	838,578	564,580	-	-	-	-	-	-	-	-	1,403,158

Downtown

Downtown		**2013 Bond Issue**					Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
37	Santa Fe Plaza Design	538,600	-	76,400	261,400	-	-	-	-	-	-	-	876,400
38	Santa Fe Plaza ROW	-	-	1,750,000	1,600,000	500,000	-	-	-	-	-	-	3,850,000
39	Santa Fe Plaza Construction	-	-	-	1,100,000	3,600,000	1,900,000	1,500,000	-	-	-	-	8,100,000
40	Downtown Master Plan ROW	-	-	-	-	-	-	-	-	-	-	-	-
41	Downtown Master Plan	105,500	-	-	-	-	-	-	-	-	-	-	105,500
42	TISD-Obligation per Contract	-	-	-	-	5,000,000	-	5,000,000	-	-	-	-	10,000,000
43	Intersection improvements at Central and N. 4th Street	-	-	-	-	-	-	750,000	-	-	-	-	750,000
44	Santa Fe Market Trail Design	-	-	190,000	-	-	-	-	-	-	-	-	190,000
45	Santa Fe Market Trail ROW	-	-	-	1,500,000	-	-	-	-	-	-	-	1,500,000
46	Santa Fe Market Trail Construction	-	-	-	-	-	1,500,000	-	-	-	-	-	1,500,000
47	MLK Festival Fields Design	-	-	-	35,600	-	-	-	-	-	-	-	35,600
48	MLK Festival Fields Construction	-	-	-	14,400	-	-	-	-	-	-	-	14,400
49	Downtown Transformation Team	-	-	373,050	144,000	450,000	-	450,000	450,000	450,000	450,000	450,000	3,217,050
50	1st Street from Avenue B to Central Avenue Design	-	-	-	-	-	-	-	-	-	-	-	-
51	1st Street from Avenue B to Central Avenue ROW	-	-	-	-	-	-	-	-	-	-	-	-
52	1st Street from Avenue B to Central Avenue Construction	-	-	-	-	-	-	-	-	-	-	-	-
53	North General Bruce Drive Enhancements Study	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL		644,100	-	2,389,450	4,655,400	9,550,000	3,400,000	7,700,000	450,000	450,000	450,000	450,000	30,138,950

TMED

TMED							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
54	Loop 363 FR (UPRR to 5th TRZ Portion) Design	330,000	-	-	-	-	-	-	-	-	-	-	330,000
55	Loop 363 FR (UPRR to 5th TRZ Portion) ROW	120,000	-	-	-	-	-	-	-	-	-	-	120,000
56	Loop 363 FR (UPRR to 5th TRZ Portion) Construction	-	6,000,000	-	300,000	-	-	-	-	-	-	-	6,300,000
57	31st Street/Loop 363 Improvements/Monumentation Design	70,000	-	-	-	-	-	-	-	-	-	-	70,000
58	31 Street/Loop 363 Improvements/Monumentation Construction	-	450,000	1,650,000	-	-	-	-	-	-	-	-	2,100,000
59	Ave U TMED Ave. to 1st Design	175,000	-	-	-	-	-	-	-	-	-	-	175,000
60	Ave U TMED Ave. to 1st ROW	-	1,100,000	1,125,000	180,000	-	-	-	-	-	-	-	2,405,000
61	Ave U TMED Ave. to 1st Construction	-	-	250,000	2,600,000	-	-	-	-	-	-	-	2,850,000
62	TMED Master Plan (Health Care Campus) Design	123,738	-	-	-	-	-	-	-	-	-	-	123,738
63	TMED Master Plan &Thoroughfare Plan * Design	55,000	-	-	-	-	-	-	-	-	-	-	55,000
64	Friars Creek Trail to Ave. R Trail Design	75,000	-	-	-	-	-	-	-	-	-	-	75,000
65	Friars Creek Trail to Ave. R Trail Construction	-	425,000	36,558	-	-	-	-	-	-	-	-	461,558
66	1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-	-	-	-	-	-	-	-
67	Friars Creek Trail Amphitheater	-	-	-	-	-	-	-	-	-	-	-	-
68	Ave R Intersections Construction	-	-	2,849,982	-	-	-	-	-	-	-	-	2,849,982
69	Veteran's Memorial Blvd. Phase II Design	-	-	-	675,000	-	-	-	-	-	-	-	675,000
70	Veteran's Memorial Blvd. Phase II ROW	-	-	-	250,000	-	-	-	-	-	-	-	250,000
71	Veteran's Memorial Blvd. Phase II Construction	-	-	-	-	-	-	-	3,960,000	-	-	-	3,960,000
72	TMED South 1st Street Design	-	-	-	-	120,000	-	-	-	-	-	-	120,000
73	TMED South 1st Street Construction	-	-	-	-	1,200,000	-	-	-	-	-	-	1,200,000
74	Bond Contingency	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL		948,738	7,975,000	5,911,540	4,005,000	1,320,000	-	-	3,960,000	-	-	-	24,120,278

TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

Airport Park							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
75	Airport Enhancement Projects Design	170,000	-	-	-	-	-	-	-	-	-	-	170,000
76	Airport Enhancement Projects Construction	-	1,150,000	2,186,497	-	-	-	-	-	-	-	-	3,336,497
77	Taxiway for Airport {60 ft width}	-	-	-	90,000	-	-	-	-	-	-	-	90,000
78	Corporate Hangar Phase II	-	-	-	375,000	-	-	-	-	-	-	-	375,000
79	Corporate Hangar	-	-	-	-	1,620,000	-	-	-	-	-	-	1,620,000
80	Airport RAMP Grant	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL		170,000	1,150,000	2,186,497	465,000	1,620,000	-	-	-	-	-	-	5,591,497

Public Improvements

Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
81	Public Improvements	-	-	-	-	-	-	-	-	-	5,500,000	7,000,000	12,500,000

MASTER PLAN PROJECT FUNDING	\$	7,800,438	\$	13,420,153	\$	21,365,155	\$	16,772,282	\$	13,040,000	\$	19,000,000	\$	9,100,000	\$	4,410,000	\$	11,200,000	\$	5,950,000	\$	7,450,000	\$	129,508,028
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						Bond Issue							
	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL	
Favorable (Unfavorable) Balance		4,141,369	(1,990,655)	2,413,005	(575,694)	-	(1,146,769)	2,734,942	(3,949,971)	1,449,566	630,496	3,706,289	
Cumulative Favorable (Unfavorable)		4,141,369	2,150,714	4,563,719	3,988,025	3,988,025	2,841,256	5,576,198	1,626,227	3,075,793	3,706,289		

ORDINANCE NO. _____
(Z-FY-17-20)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO SINGLE FAMILY THREE, GENERAL RETAIL, AND OFFICE TWO ZONING DISTRICTS ON APPROXIMATELY 81.173 ACRES SITUATED IN THE B. STRACENER SURVEY, ABSTRACT NO. 746, BELL COUNTY, TEXAS, LOCATED AT 3131 LOWER TROY 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 Agricultural zoning district to Single Family Three, General Retail, and Office Two zoning districts on approximately 81.173 acres, situated in the B. Stracener Survey, Abstract No. 746, Bell County, Texas, located at 3131 Lower Troy Road, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: Staff recommends approval for a rezoning from Agricultural zoning district to Single Family Three, General Retail, and Office Two zoning districts.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 6th day of April, 2017.

PASSED AND APPROVED on Second Reading on the **20th** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/06/17
Item #10
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Director of Planning

ITEM DESCRIPTION: I-FY-17-02 – Consider adopting a resolution approving an appeal of standards to Sec. 6.7 of the Unified Development Code related to I-35 Corridor Overlay Zoning District in Freeway Retail/Commercial Sub District requirements for landscaping, lighting and architecture for a redeveloped car dealership (new Garlyn Shelton BMW) at 5420 Midway Drive.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their March 20, 2017 meeting, the Planning and Zoning Commission voted unanimously, six to zero, to recommend approval of the appeal as presented by staff.

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

- Applicant has been working closely with staff to develop a compromise that would meet the needs of the corporate requirements from BMW, while also meeting the intent of the I-35 Corridor Overlay to beautify the corridor. The proposed development represents a substantial improvement using I-35 Overlay architectural and landscape standards when applied to the redevelopment of the current auto dealership site.

ITEM SUMMARY: Applicant is redeveloping an existing car dealership (Garlyn Shelton Nissan) through showroom demolition and new construction into a new BMW dealership. Due to corporate BMW mandated building design requirements, an appeal is requested for a number of the I-35 Corridor Overlay requirements shown below (justification shown in parentheses).

1. Sec. 6.7.5.E.1 Total of 15 percent of total site must be landscaped, must consist of approved plants covering 100 percent of required landscaped area (Landscaping on site equals 13%, with additional TXDOT right of way landscaped and irrigated totaling 6% for total of 19%)
2. Sec. 6.7.5.E.6: Foundation plantings are required along 70% of length of façade (Project meets the intent but the proposed landscaping is buffering the perimeter, rather than the foundation to allow maximum showroom visibility)
3. Sec. 6.7.5.E.8.d: Minimum 60 percent of required trees must be evergreen (Proposed crepe myrtles)
4. Sec. 6.7.5.E.8.e: A minimum 20 percent of required landscape buffer must have native grass beds or wildflowers (Propose to use river rock instead)

5. Sec. 6.7.5.E.8.f: Two to four-foot berms need to cover a minimum of 50% of landscape buffer area (would limit visibility of their inventory)
6. Sec. 6.7.5.E.9.a: Parking or vehicle use area must be screened by shrubs, berms or walls or a combination thereof (partial compliance for purposes of vehicle display)
7. Sec. 6.7.5.K.2.a: Maximum allowable total lumens required 80,000 per net acre (partial compliance with full cut off lumens proposed)
8. Sec. 6.7.9.D.2.c: Building entrances must be articulated and defined for strong entry presence, offset by 6 feet (request BMW corporate mandated building design)
9. Sec. 6.7.9.D.2.d: Architecture: tri-partite design/defined base, middle and top required (does not comply with BMW mandated corporate design of mostly glass showroom)
10. Sec. 6.7.9.D.2.f: Windows must be a minimum of 40% up to a maximum of 80% windows on each building elevation (request for BMW corporate mandated building design)
11. Sec. 6.7.9.D.3.b: Structures must be generally earth tone in hue (request BMW corporate design of white)
12. Sec. 6.7.9.D.3.d: No single building material may cover more than 80 percent of the front of any building (request BMW mandated corporate design)
13. Sec. 6.7.9.E.2: Parking Lot Islands for Vehicle Sales: evergreen shrubs (5-gallon minimum) must completely fill the island area (partial compliance, proposed to include mulch for several)

The proposal complies with the following standards:

- Locating service bays to the side or rear (not visible from roadway)
- Side and rear landscaping buffer requirements
- All luminaires (lights) must be full cut-off (to prevent light trespass)
- Areas not covered by building or pavement are landscaped (river rock included)

I-35 Corridor Overlay code amendments scheduled for review by P&Z on April 17th would make a number of the exceptions requested above, compliant.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Application](#)
[I-35 Corridor Overlay Checklist](#)
[Landscape Plan](#)
[Elevations](#)
[Vicinity Aerial Map](#)
[BMW Building Examples and Photos](#)
[Resolution](#)

City of Temple Universal Application

Rev. 10-20-16

(Incomplete applications will not be accepted)

- | | | |
|---|---|---|
| <input type="checkbox"/> Sketch Plan | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Appeal of Administrative Decision |
| <input type="checkbox"/> Plat Vacation | <input type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Residential Masonry Exception |
| <input type="checkbox"/> Minor or Amending Plat | <input type="checkbox"/> Planned Development (PD) | <input type="checkbox"/> Nonresidential Masonry Exception |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> PD Site Plan | <input type="checkbox"/> Park, Facility or Street Renaming |
| <input type="checkbox"/> Final Plat | <input checked="" type="checkbox"/> I-35 Appeal | <input type="checkbox"/> Cost Sharing Offsite Participation |
| <input type="checkbox"/> Variance (Board of Adjustment) | <input type="checkbox"/> I-35 Site Plan Review | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Abandonment | <input type="checkbox"/> TMED Site Plan Review | <input type="checkbox"/> Street Use License (SUL) |
| | <input type="checkbox"/> TMED Variances/Warrants | <input type="checkbox"/> 1 st and 3 rd Overlay Appeal |

PROJECT INFORMATION:

☐ Residential
 ☒ Commercial
 ☐ Property Platted
 ☐ Property Not Platted
 ☐ ETJ

Project Name: Garlyn Shelton BMW Parcel(s) Tax ID# (Required): _____
 Project Address (Location): 5420 Midway Drive Temple, Tx 76502 Total Acres: 1.76
 Lot: _____ Block: _____ Subdivision: _____
 Cabinet #: _____ Slide #: _____
 Outblock (if not platted): _____
 Brief Description of Project: A New BMW Dealership
 Current Zoning _____ # of Existing Lots _____ # of Existing Units _____
 Proposed Zoning _____ # of Proposed Lots _____ # of Proposed Units _____

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

Name: LARRY NEAL Company Name: Neal Architectural Group
 Address: 1023 Canyon Creek Dr. #125 City: Temple State: Tx Zip: 76502
 Phone: 254 778-1466 Cell #: 254 913-8498 Fax #: 254 778-5077
 Email Address: arcneal@hotmail.com

PROPERTY OWNER INFORMATION:

Name: Garlyn Shelton Company Name: Garlyn Shelton Imports
 Address: 5625 S. Gen Bruce Dr City: Temple State: Tx Zip: 76502
 Phone: 254 760-3472 Cell #: 254 760-3472 Fax #: _____
 Email Address: e.whittle@hotmail.com

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

Name: _____ Company Name: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Cell #: _____ Fax #: _____
 Email Address: _____

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

Landscape: % landscape area, foundation planting, % of evergreen trees, keep river rock, eliminate buffer berms, building articulation, articulated building entrance, tri-partite architecture, color of structure, window %, % of materials on front facade, % window glazing, % masonry.
Request that the building be allowed to comply with BMW corporate image.

CHECKLIST--PER SUBMITTAL

City of Temple Universal Application

Rev. 10-20-16

(Incomplete applications will not be accepted)

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

* May be required depending on nature of Appeal/Variance

Total valuation of proposed improvements for project in 1st & 3rd/TMED/I-35:

\$ _____

FEE SCHEDULE

PLEASE MAKE CHECKS PAYABLE TO: CITY OF TEMPLE

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

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

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

APPLICANT SIGNATURE: Larry Neal

Print or Type Name: Larry Neal

(property owner authorization required below if applicant is someone other than property owner)

I (property owner) hereby authorize _____ of _____

(printed name) (company (if applicable))

to represent me in matters pertaining to this case.

PROPERTY OWNER'S SIGNATURE: Garkyn Shelton

Property owner's name (print): GARKYN SHELTON

Property owner's address: _____

Property owner's phone#: _____

Email address: _____

For Department Use Only

Project #: _____

Project Manager: _____

Total Fee(s): _____

Fee Credit: _____

Payment Method: _____

Submittal Date: _____

Accepted By: _____

Accepted Date: _____

PLANNING DEPARTMENT CHECKLIST I-35 OVERLAY PROJECTS

Address _____ **Frontage _ft.** **Building** _____ **sq.ft.**

Proposed Use __ **Sub-District** **FREEWAY RETAIL**

☐ Planned Development ☐ Conditional Use Permit ☐ General

I 35 Requirements Freeway Retail/Commercial Sub District	Current Status	Standard Met	Mitigation/ Rationale/ Staff Comment
<u>Site Plan Review (General)</u>			
Required			
<u>Tree Preservation (General)</u>			
Required			
<u>Dimensional and Use Requirements</u>			
Is the use allowed in the district?			
Does the Project meet dimensional requirements			
<u>Parking (General)</u>			
Curb and gutter, 6" in height, required around perimeter and all parking islands.			
Parking aisles must be designed to be perpendicular to the front of the building.			
Parking areas must be planned so that vehicles are not required to back out of parking spaces directly into a public or private street			
Parking lots must be designed to preserve the maximum amount of existing trees on site as possible			
Parking spaces that face/adjacent to a building must utilize wheel stops			
Wheel stops are required adjacent to all landscaped areas Wheel stops are required adjacent to all sidewalks, except for raised sidewalks at least 6 feet in width (8 feet if parking spaces front both sides)			
No parking is allowed in the landscape buffer			
Required parking ratios- UDC 7.4.4			
<u>Screening and Wall Standards</u>			
No storage in connexes, shipping containers or portable buildings			
Garage and service bays must be located to rear of building or on side not visible to traffic flow on abutting side of I-35. If visible to on-coming			

I 35 Requirements Freeway Retail/Commercial Sub District	Current Status	Standard Met	Mitigation/ Rationale/ Staff Comment
traffic flow, service bays must be screened by a matching masonry wing wall or an opaque landscape screen – with 3" caliper trees and 5 gal. shrubs.			
Loading zones and mechanical equipment must not be clearly visible at eye level from any public street or located within 100' of any public street, unless screen is provided.			
Public utility stations must be screened with a masonry wall			
A min. 6' matching masonry wall must be constructed between non-residential/multi-family use and residential use or zoning district.			
Refuse storage/compactors/vehicle loading and unloading must not be clearly visible at eye level from any public street or located within 100' of any public street. Vehicle loading and unloading zones must not be visible and screened with matching solid masonry wall earthen berms or 6' opaque landscaping. Refuse must be enclosed on three sides in solid wall of wood or masonry to match building with eight foot self closing gate.			
All ground mounted service equipment must be located at the rear of buildings (unless rear faces I-35), integrated into the building envelope, or enclosed service area. If visible, must have 100% opaque screening one foot higher than equipment being screened.			
Landscaping			
Areas not covered by building or pavement must be landscaped			
Landscape Area 15% (Irrigated)			
Drainage facilities are not allowed in the landscape areas			
Vegetation must be used to soften the appearance of walls – min 5 gal. shrubs planted every 30" on center.			
Foundation plantings, within a planting area min 6' in width, required along 70% of the length of any visible façade.			

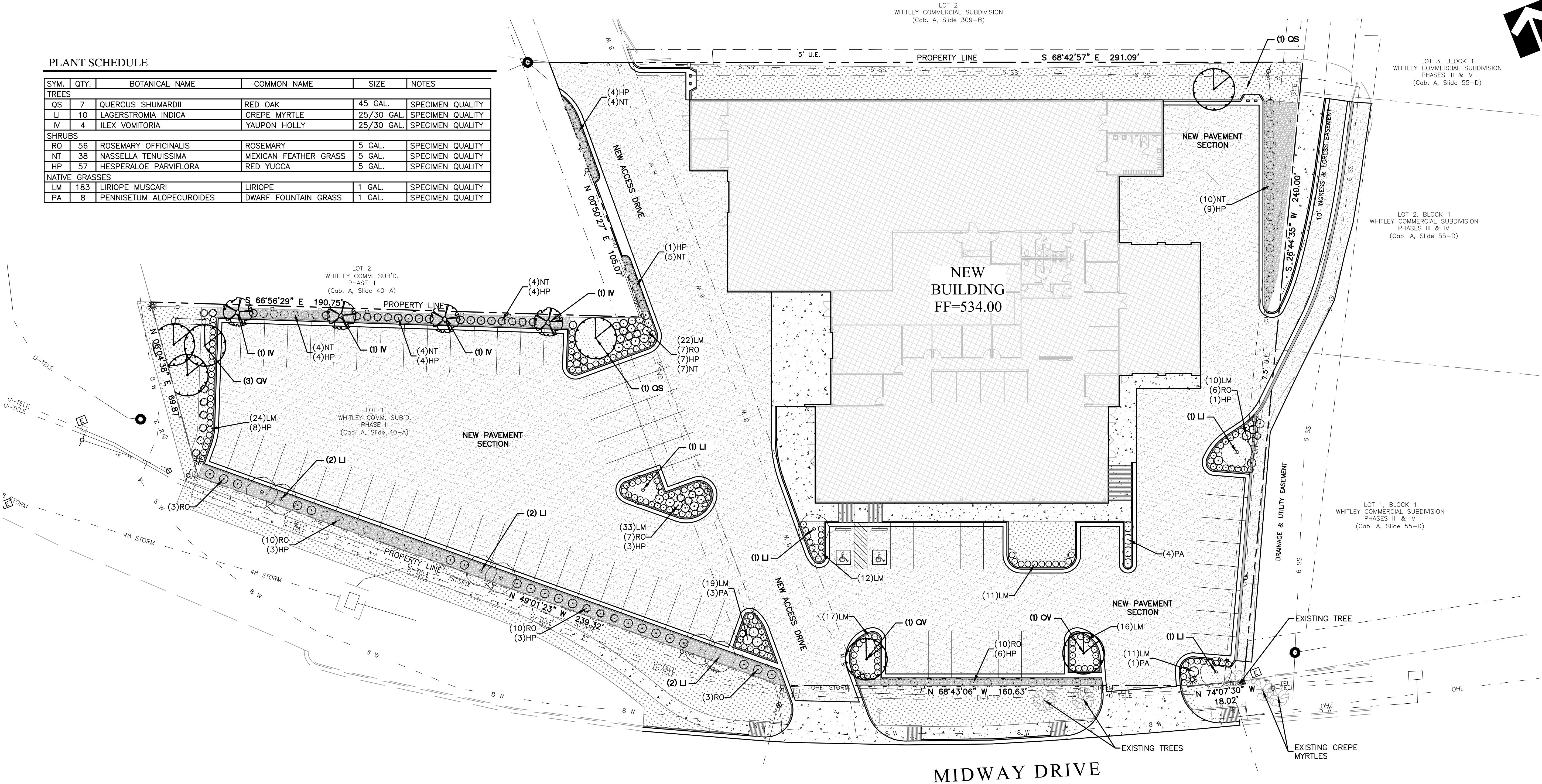
I 35 Requirements Freeway Retail/Commercial Sub District	Current Status	Standard Met	Mitigation/ Rationale/ Staff Comment
Landscape buffer- One min. 3" caliper canopy tree must be planted for every 30' of frontage along public ROW. If power lines are present four ornamental trees may be substituted for one canopy tree			
Required landscape buffer trees must be planted in clusters not intervals			
Required landscape buffer must have a minimum of 60% evergreen trees			
20% Required landscape buffer must have native grass beds or wildflowers			
Landscape buffer berms not less than 24 inches covering 50% of landscape buffer area			
Parking lot, fuel pumps, and vehicle drive-thru window must be screened by hedge row 2.5 to 4' high for all parking areas visible from public view			
Meandering sidewalk required if Trails Master Plan identifies one adjacent in accordance with city sidewalks standards for classification			
Interior parking islands 1 per every 10 spaces minimum 170 sq ft (1 3" tree required in each)			
Terminal parking islands at the end of each row minimum 360 sq ft (2- 3" caliper tree required in each)(non-inventory).			
Median islands minimum 10' in width must be located after every third parking bay (3" tree required every 30')			
Landscape must be drought tolerant and accent building features, entryways, and driveways.			
Landscaping (Vehicle Sales)			
Parking lot islands must be located at the end of inventory aisles, span the aisle (both sides) (minimum depth of ten feet)			
Evergreen shrubs –minimum 5 gallon – must completely fill island			
Architectural			
Development must be sited as to maximize street presence.			
Location and placement of buildings must reflect consideration for roadway			

I 35 Requirements Freeway Retail/Commercial Sub District	Current Status	Standard Met	Mitigation/ Rationale/ Staff Comment
access, existing vegetation and surrounding development.			
Must 2:1 slope from residential property line if building is non-residential			
All buildings must be architecturally finished on all sides with same materials, detailing and features. Facades not visible from the street may reflect only similar colors if screened with single row of trees- 30' offset; 50% canopy; 10 foot landscape edge.			
Building entrances must be articulated and defined to present a strong entry presence. Must be inset or offset by min 6'.			
All buildings must incorporate no less than 3 architectural elements > 50,000 must incorporate 5 elements			
All buildings must be designed and constructed in tri-partite architecture.			
All retail buildings with facades greater than 200' must incorporate wall plane projections or recesses that are at least 6' deep. Projections and recesses must be at least 25 percent of length of the façade.			
Windows must be a minimum of 40% up to a maximum of 80% or each building elevation.			
Color of structures must be earth-tone in hue.			
No more than three materials for facades of buildings			
No single building material may cover more than 80% of the front of any building.			
Windows must not be glazed or re-glazed with mirrored or reflective glass.			
Vandal resistant building components must be incorporated.			
Approved primary and accent building materials must be from the approved building materials list. Primary materials 70%-90% ; Accent 10%-30%			
Lighting			
All luminaries of 1800 or more lumens must be full-cutoff as installed. (For luminaries under 1800 the bulb must be			

I 35 Requirements Freeway Retail/Commercial Sub District	Current Status	Standard Met	Mitigation/ Rationale/ Staff Comment
frosted glass or behind translucent cover			
Exterior lighting must have soft indirect illuminations concealed behind landscape or utilize lighting fixtures that produce no direct glare.			
On-site lighting must be used for entries, walkways, and parking areas. Down wall washing only. No flood lighting.			
Security lighting must be used to avoid glare and must direct light toward building or storage.			
Max 80 lumens per net acre with full cut-off lighting			
Lights mounted on underside of roof 15' or more from any roof edge count ½ toward total lumens.			
Lighting must be focused and promote safety.			
Outdoor lighting fixtures must be max 30' in height/			
No blinking, flashing, moving, or mercury vapor lighting allowed.			

PLANT SCHEDULE

SYM.	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
TREES					
QS	7	QUERCUS SHUMARDII	RED OAK	45 GAL.	SPECIMEN QUALITY
LI	10	LAGERSTROMIA INDICA	CREPE MYRTLE	25/30 GAL.	SPECIMEN QUALITY
IV	4	ILEX VOMITORIA	YAUPON HOLLY	25/30 GAL.	SPECIMEN QUALITY
SHRUBS					
RO	56	ROSEMARY OFFICINALIS	ROSEMARY	5 GAL.	SPECIMEN QUALITY
NT	38	NASSELLA TENUISSIMA	MEXICAN FEATHER GRASS	5 GAL.	SPECIMEN QUALITY
HP	57	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL.	SPECIMEN QUALITY
NATIVE GRASSES					
LM	183	LIRIOPE MUSCARI	LIRIOPE	1 GAL.	SPECIMEN QUALITY
PA	8	PENNISETUM ALOPECUROIDES	DWARF FOUNTAIN GRASS	1 GAL.	SPECIMEN QUALITY



LEGEND

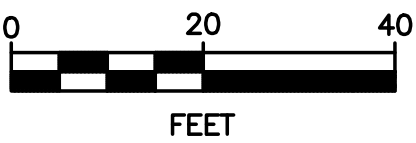
	RED OAK		NEW PAVEMENT
	CREPE MYRTLE		NEW CONCRETE FLATWORK (PER PROJECT DETAILS)
	ROSEMARY		TURF AREAS
	DWARF FOUNTAIN GRASS		MULCH AREAS
	MEXICAN FEATHER GRASS		RIVER STONE AREAS
	RED YUCCA		
	LIRIOPE		

LANDSCAPE NOTES

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

GENERAL NOTES

LANDSCAPE REQUIREMENTS	=	15% OF TOTAL SITE
15% OF 76,720 SQ FT	=	11,508 SQ FT
LANDSCAPE AREA PROVIDED		
SITE 9,959 SQ FT	=	13%
ROW 4,895 SQ FT	=	6%
TOTAL 14,854 SQ FT	=	19%



Revisions

Date: Remarks:

SITE LANDSCAPING PLAN

DRAWING STATUS

THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF THE LICENSED PROFESSIONAL ENGINEER, CLARK & FULLER, P.L.L.C. NO. F-10384.

FOR REVIEW: ☒ FOR BIDDING: ☐ FOR CONSTRUCTION: ☐

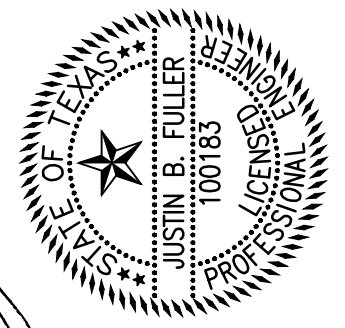
FINAL DRAWINGS

GARLYN SHELTON

BMW

NEW SITE DEVELOPMENT

TEMPLE, TEXAS



CLARK & FULLER

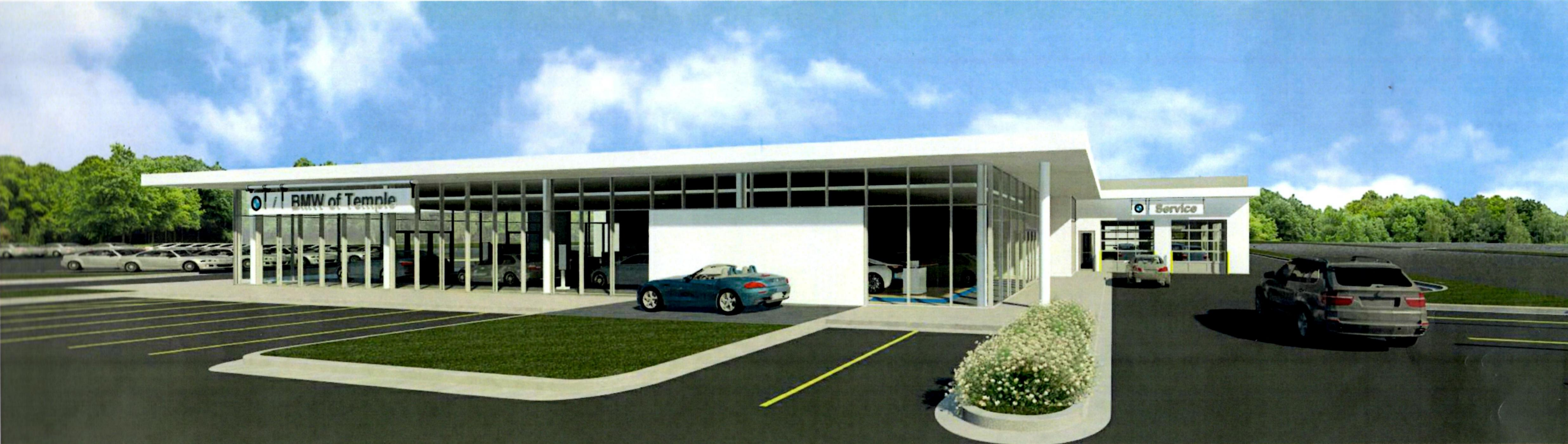
CIVIL ENGINEERING • DESIGN • PLANNING

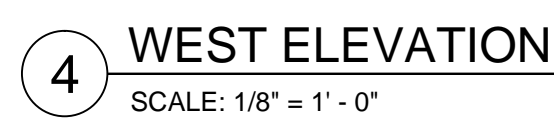
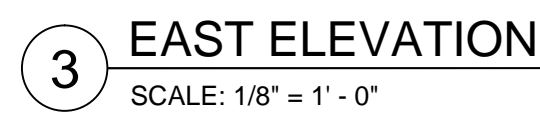
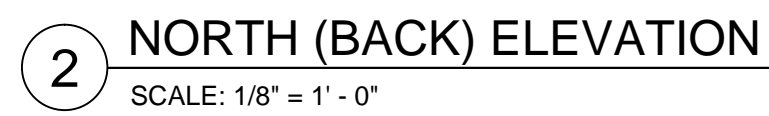
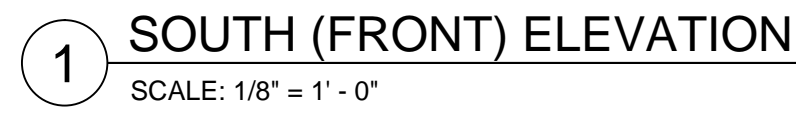
215 North Main Street, Temple, TX 76501

254.899.0899 www.clarkfuller.com F-10384

Project No:	161666.00	Designed By:	JBF
Plot Date:	3-7-17	Drawn By:	ECB

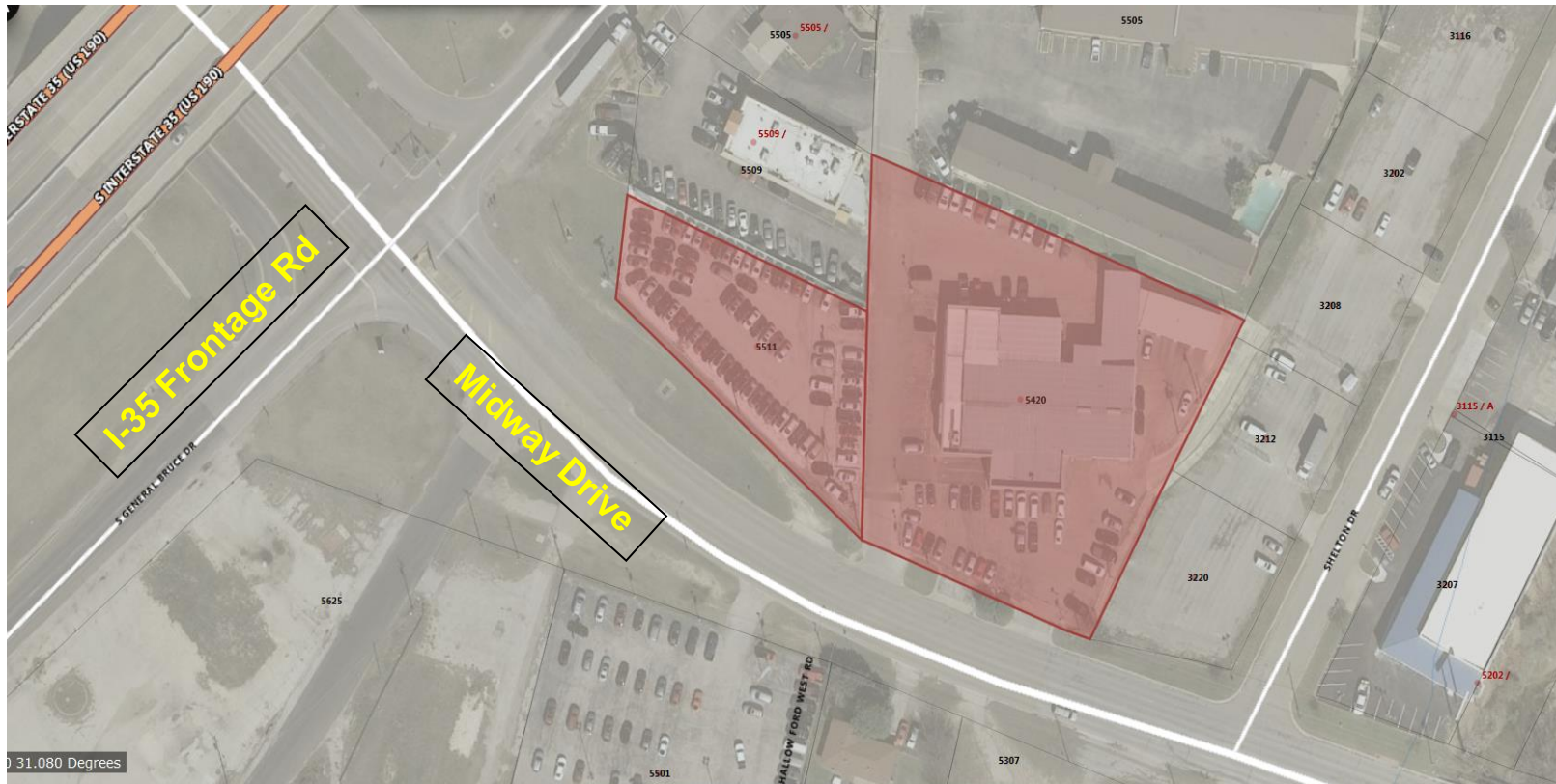
LS1.1





- ① EXTERIOR INSULATED FINISH SYSTEM (EIFS)
- ② 6" DIAMETER PIPE BOLLARD (RE: 5/A/1)
- ③ CONTROL JOINT IN EIFS (TYP.) REFER TO BUILDING SECTIONS FOR JOINING INFORMATION NOT SHOWN ON THESE ELEVATIONS
- ④ PAINTED TILT-WALL (EP-1)
- ⑤ BRAND SIGNAGE (RE:)
- ⑥ CURTAIN WALL (RE:)
- ⑦ SLICE-WALL - PAINTED EIFS (EP-1)
- ⑧ METAL COPING (MW-1)
- ⑨ EIFS
- ⑩ JOINT IN TILT-UP WALL PANEL
- ⑪ GUTTER (MATCH MW-1)
- ⑫ DOWNSPOUT (MATCH MW-1)
- ⑬ SLOPED MEMBRANE ROOFING
- ⑭ FLASHING ABOVE DOOR (RE:)

A4.1



Examples of BMW Corporate Design Nationwide

Kansas City



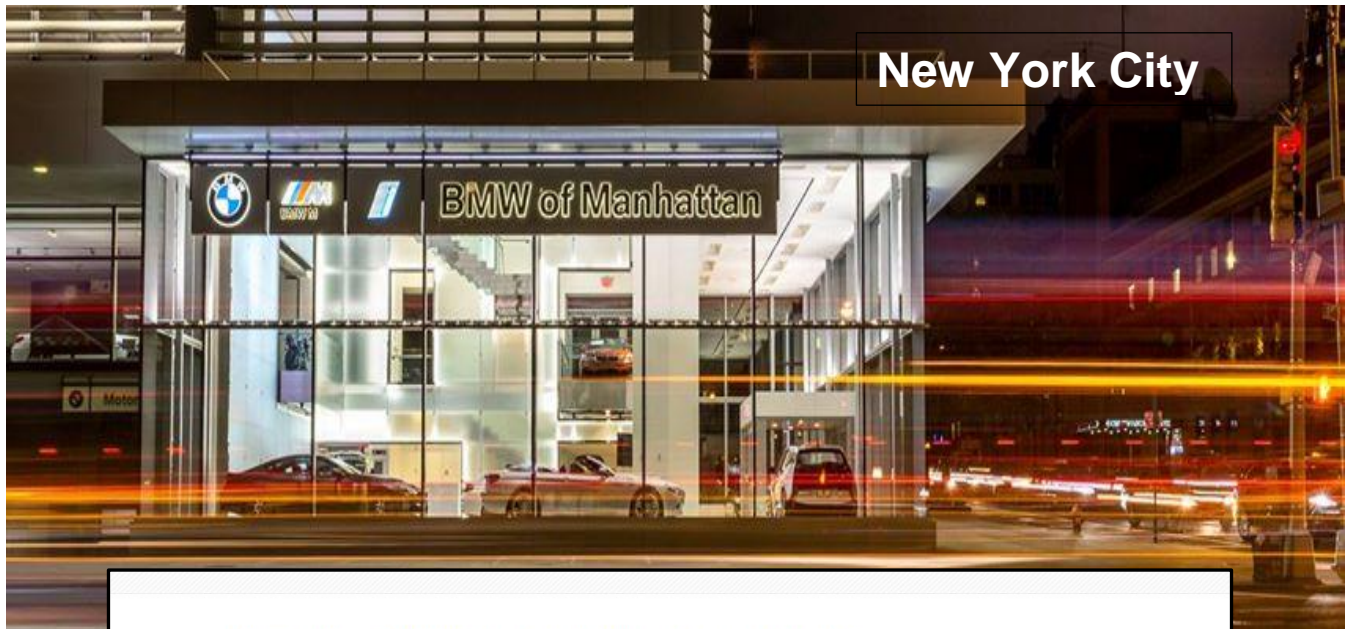
Grapevine, Texas

Texas



California





New York City

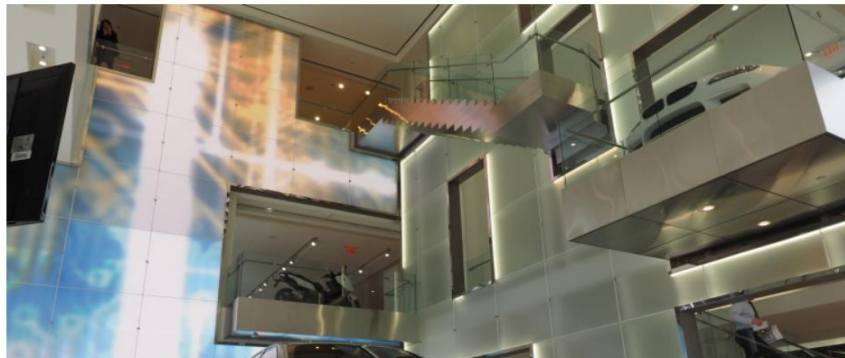
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BMW Future Retail 2016 – The new dealership standard

News | January 19th, 2015 by Horatiu Boeriu [6 comments](#)

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Santa Clara



RESOLUTION NO. _____
[PLANNING NO. I-FY-17-02]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
APPROVING AN APPEAL OF STANDARDS TO SECTION 6.7 OF THE
UNIFIED DEVELOPMENT CODE RELATED TO I-35 CORRIDOR OVERLAY
ZONING DISTRICT IN FREEWAY RETAIL/COMMERCIAL SUB DISTRICT
REQUIREMENTS FOR LANDSCAPING, LIGHTING, AND ARCHITECTURE
FOR A REDEVELOPED CAR DEALERSHIP AT 5420 MIDWAY DRIVE; AND
PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant is redeveloping an existing car dealership (Garlyn Shelton Nissan) through showroom demolition and new construction into a new BMW dealership - due to corporate BMW mandated building design requirements, an appeal is requested for a number of the I-35 Corridor Overlay requirements outlined below:

1. Sec. 6.7.5.E.1: A total of 15% of the total site must be landscaped and must consist of approved plants covering 100% of required landscaped area;
2. Sec. 6.7.5.E.6: Foundation plantings are required along 70% of length of façade;
3. Sec. 6.7.5.E.8.d: A minimum of 60% of required trees must be evergreen;
4. Sec. 6.7.5.E.8.e: A minimum of 20% of required landscape buffer must have native grass beds or wildflowers;
5. Sec. 6.7.5.E.8.f: Two to four-foot berms need to cover a minimum of 50% of landscape buffer area;
6. Sec. 6.7.5.E.9.a: Parking or vehicle use area must be screened by shrubs, berms or walls or a combination thereof;
7. Sec. 6.7.5.K.2.a: Maximum allowable total lumens required 80,000 per net acre;
8. Sec. 6.7.9.D.2.c: Building entrances must be articulated and defined for strong entry presence, offset by 6 feet;
9. Sec. 6.7.9.D.2.d: Architecture: tri-partite design/defined base, middle and top required;
10. Sec. 6.7.9.D.2.f: Windows must be a minimum of 40% up to a maximum of 80% windows on each building elevation;
11. Sec. 6.7.9.D.3.b: Structures must be generally earth tone in hue;
12. Sec. 6.7.9.D.3.d: No single building material may cover more than 80 percent of the front of any building;
13. Sec. 6.7.9.E.2: Parking Lot Islands for Vehicle Sales: evergreen shrubs;

Whereas, at its March 20, 2017 meeting, the Planning and Zoning Commission considered the appeal and approved the appeal as presented by Staff; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council approves an appeal of standards to Section 6.7 of the Unified Development Code related to I-35 Corridor Overlay Zoning District in Freeway Retail/Commercial Sub District requirements for landscaping, lighting and architecture, as set forth in more detail above, for a redeveloped car dealership (new Garlyn Shelton BMW) at 5420 Midway Drive.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution 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 this the 6th day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney