



**MEETING OF THE  
TEMPLE CITY COUNCIL  
MUNICIPAL BUILDING  
2 NORTH MAIN STREET  
3<sup>rd</sup> FLOOR – CONFERENCE ROOM  
THURSDAY, APRIL 19, 2018  
4:00 P.M.  
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 19, 2018.
2. Receive a presentation on the proposed Tax Increment Financing Reinvestment Zone #1 Financing and Project plan amendment.
3. Discuss the City of Temple's Application for Municipal Solid Waste Permit No. 692B and the Texas Commission on Environmental Quality's approval of a request for a Contested Case Hearing to be held in the State Office of Administrative Hearings.

*Executive Session, Government Code Section 551.071, Consultations with Attorney, the governing body may meet in executive session to consult with its attorney to seek advice on legal matters related to pending or contemplated litigation.*

**5:00 P.M.**

**MUNICIPAL BUILDING  
2 NORTH MAIN STREET  
CITY COUNCIL CHAMBERS – 2<sup>ND</sup> 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. 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.

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

**Minutes**

- (A) [April 5, 2018 Special and Regular Meeting](#)
- (B) [April 6, 2018 Special Meeting](#)

**Contracts, Leases, & Bids**

- (C) [2018-9102-R](#): Consider adopting a resolution authorizing the purchase of sports field equipment for Crossroads Park in the amount of \$28,918.22 from the following vendors:
  1. Pioneer Manufacturing Company dba Pioneer Athletics of Cleveland, OH in the amount of \$15,268.00, and
  2. BSN Sports of Dallas in the amount of \$13,650.22.
- (D) [2018-9103-R](#): Consider adopting a resolution authorizing the purchase of an easement and temporary construction easement necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$2,500.



- (E) [2018-9104-R](#): Consider adopting a resolution authorizing the acceptance of a donation of a 0.054-acre permanent drainage easement and a 0.127-acre temporary construction easement from Kiella Family, Ltd., which are necessary for the construction of the Conner Park Drainage Channel Improvement project.
- (F) [2018-9105-R](#): Consider adopting a resolution authorizing change order #2 to the construction contract with S.J. Louis Construction of Texas, LTD., of San Antonio, in the amount of \$368,492.26 for the Leon River Interceptor.
- (G) [2018-9106-R](#): Consider adopting a resolution authorizing a construction contract with Mid-America Golf & Landscape, Inc., dba Mid-America Sports Construction of Lee's Summit, MO, in the amount of \$523,537 for a greens resurfacing project at Sammons Golf Links.
- (H) [2018-9107-R](#): Consider adopting a resolution authorizing contract amendment #1 to a professional services agreement with BSP Engineers, Inc., of Temple, in the amount of \$29,100 for engineering services required to implement a revised scope of improvements to the "Ave T & R Drainage" project.
- (I) [2018-9108-R](#): Consider adopting a resolution ratifying an Exclusive Listing Agreement with Airspace DFW, LLC for the lease of Hangars 20 and 26 at the Draughon Miller Central Texas Regional Airport.
- (J) [2018-9109-R](#): Consider adopting a resolution authorizing a Developer Participation Agreement with WBW Land Investment, L.P. in the not to exceed amount of \$150,000 to construct a portion of South Pea Ridge Road and authorizing the conveyance of 11.80 acres of City-owned land to WBW Land Investment, L.P. and the acceptance of 27.63 acres of land from WBW Land Investment, L.P.
- (K) [2018-9110-R](#): Consider adopting a resolution ratifying a professional services agreement with Bannon & Associates, LLC, of Austin in the estimated amount of \$25,600 for civil service testing and assessment services.

#### **Ordinances – Second & Final Reading**

- (L) [2018-4904](#): SECOND READING: Consider adopting an ordinance establishing a speed limit of 45 miles per hour from the 5100 block of South 5th Street to the 6400 of South 5th Street.
- (M) [2018-4905](#): SECOND READING – Z-FY-18-13: Consider adopting an ordinance authorizing a rezoning from General Retail to Planned Development Multi-Family Three with a site development plan on 4.203 +/- acres for a five-story apartment building situated on Lot 5, Block 1, Temple Mall Addition Replat No. 1, addressed as 1210 Azalea Drive.

#### **Misc.**

- (N) [2018-9111-R](#): Consider adopting a resolution finding that Oncor Electric Delivery Company LLC's Application for Approval of a Distribution Cost Recovery Factor pursuant to 16 Texas Administrative Code § 25.243 to increase distribution rates within the City of Temple should be denied.

- (O) [2018-9112-R](#): Consider adopting a resolution revising the City of Temple Housing Improvement Program Guidelines and authorizing the City Manager to waive permitting fees related to the program.
- (P) [2018-9113-R](#): Consider adopting a resolution amending the outside agency funding policy.
- (Q) [2018-9114-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

#### **IV. REGULAR AGENDA**

##### **ORDINANCES – SECOND READING/PUBLIC HEARING**

- 4. [2018-4906](#): SECOND READING – Z-FY-18-15: Consider adopting an ordinance authorizing rezoning from Agricultural to General Retail proposed for 3 +/- acres and Multiple-Family Dwelling 1 proposed for 1 +/- acre, located on the eastside of State Highway 317, approximately 1,100 feet south of its intersection with Hogan Road, addressed as 5701 State Highway 317.
- 5. [2018-4907](#): SECOND READING – Z-FY-18-16: Consider adopting an ordinance authorizing a rezoning and site development plan on 81.00 +/- acres from Agricultural zoning district to Planned Development Single Family Two zoning district, addressed as 1810 South Pea Ridge Road in the Baldwin Robertson Survey, Abstract No. 17, Temple, Texas.

##### **ORDINANCES – FIRST READING/PUBLIC HEARING**

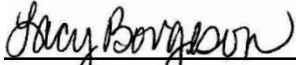
- 6. [2018-4908](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans which include appropriating additional bond proceeds, adjusting debt service payments, and allocating expenditures for public improvements for years FY 2018-2062.
- 7. [2018-4909](#): FIRST READING - PUBLIC HEARING: Consider adopting an ordinance authorizing the annexation of 18.589 acres of land out of the Sarah Fitzhenry Survey, Abstract No.312, in the ETJ (extraterritorial jurisdiction) of the City of Temple, Bell County, Texas, located at 14220 State Highway 317.
- 8. [2018-4910](#): FIRST READING – PUBLIC HEARING – Z-FY-18-12: Consider adopting an ordinance authorizing a rezoning with a site/development plan for 70.688 +/- acres, from Agricultural zoning district to Planned Development Single Family Two zoning district, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at the northwest corner of East Blackland Road and Little River Road (Old 95), Temple Texas.
- 9. [2018-4911](#): FIRST READING – PUBLIC HEARING – Z-FY-18-14: Consider adopting an ordinance authorizing a rezoning with a site/development plan from General Retail zoning district to Planned Development General Retail zoning district to allow the following C uses: major vehicle repair, equipment sales and rentals, auto sales, auto and truck rental, Freeman Heights, Block 30, Lot 3-6, located at 311 South 25th Street, Temple, Texas.

---

***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 2:30 pm, on Friday, April 13, 2018.



City Secretary, TRMC

**SPECIAL ACCOMMODATIONS:** *Persons with disabilities who have special communication or accommodation needs and desire to attend this meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date.*

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_ Title \_\_\_\_\_



## COUNCIL AGENDA ITEM MEMORANDUM

---

04/19/18  
Item #3(A-B)  
Consent Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Approve Minutes:

- (A) April 5, 2018 Special and Regular Meetings
- (B) April 6, 2018 Special 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:**

[April 5, 2018 Special and Regular Meetings](#)  
[April 6, 2018 Special Meeting](#)  
[Video](#)

## TEMPLE CITY COUNCIL

**APRIL 5, 2018**

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, April 5, 2018 at 3:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

**PRESENT:**

Councilmember Susan Long  
Mayor Pro Tem Timothy Davis  
Councilmember Michael Pilkington  
Councilmember Judy Morales

**ABSENT:**

Mayor Daniel A. Dunn

1. **Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 5, 2018.**
2. **Discuss possible extension to Azalea Drive.**
3. **Discuss the City's Neighborhood Services program to include but not limited to:**
  - **Temple Housing Improvements**
  - **Outside Funding Agencies**

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, April 5, 2018 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

**Present:**

Councilmember Susan Long  
Mayor Pro Tem Timothy Davis  
Councilmember Mike Pilkington  
Councilmember Judy Morales

**Absent:**

Mayor Daniel A. Dunn

**I. CALL TO ORDER**

**1. Invocation**

Warren Gary, The Vine Church voiced the invocation.

## **2. Pledge of Allegiance**

Brian Chandler, Director of Planning lead the Pledge of Allegiance.

## **II. PUBLIC COMMENTS**

Charles L. Wood, 4505 Lost Creek Court, addressed Council with regards to hangers and leases at the airport.

Randy Broussaud, 5251 Oakhaven Lane, Belton, Texas addressed the Council and voiced support for the displays at the Temple Public Library regarding LGBT, stating he was different and books at the Library helped him to understand who he was.

Heidi Fuller, 1345 Luker Road, Belton, Texas, addressed Council and stated she is a teacher at Temple ISD and a representative of the GSA Alliance at the high school. She spoke in regards to the display at the library and stated that these kids need our support, places to provide resources to build the best life and the community's support to be able to be themselves.

Erika Giambalvo, 322 Harvest Meadow, addressed Council to show support on the decision of the librarians at the library to display books regarding LGBT.

Irene Andrews, 287 Wayne Drive, Nolanville, Texas, addressed the Council to express her gratitude to the Temple librarians and show support for their efforts in creating timely interesting, informative and engaging displays that reflect the diversity of the communities they serve.

Tracy McLoud, 1207 N-Bad, Belton, Texas, addressed the Council to voice support for the LGBT displays at the library.

JD Zeptner, 402 South 26th, addressed Council in regards to a resolution concerning an eminent domain, stating that the County should give the City the property instead of the City having to pay for it to complete certain City projects such as the MLK project.

Ray Mattix, 4927 Sean Patrick Glen, addressed Council in regards to the airport stating that as an Airport Advisory Board member, he would like to see that their efforts to create jobs or aviation related facilities/business at the airport are not being negated.

## **III. PUBLIC APPEARANCE**

### **3. Receive comments from Mr. Boyd A. Tackett III regarding his lease for two hangers at the Draughon-Miller Regional Airport.**

Mr. Tackett addressed Council requesting that the Council and City continue to support IDIS by negotiating an agreement to stay in hanger 20. They have made significant commitments to this community by relocating their headquarters and moving families here. They has brought in hundreds of people to Temple and they buy thousands of dollars in jet fuel each year. They also add a significant number of landings and take offs to the airport which directly affects funding.

He also stated that UAI is pleased with their accomplishments in these last years and felt the City was pleased too, which is why they were surprised when the city asked them to leave. He stated that they do not understand why the City chose not to renew their lease and thought their performance met expectations. He stated that they are disappointed that their efforts do not seem to be dimmed as enough by the City so they will be taking their business and customers else where and thanked Council for the opportunity.

#### **IV. ANNEXATION - PUBLIC HEARING**

**4. PUBLIC HEARING - Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of 1.310 acres of land out of the William Gilmore Survey, Abstract No.339, Bell County, Texas, in the extraterritorial jurisdiction of the City of Temple, Bell County, Texas, located at 2391 FM 1237.**

Tammy Lyerly, Senior Planner provided a presentation to Council. She stated that Janet Clark filed a petition on January 18, 2018, seeking voluntary annexation of 1.310 acres into the City of Temple. Ms. Clark purchased this 1.310-acre tract from Royce and Diane Oliver, whose 12.64-acre tract is subject to a 2008 development/non-annexation agreement. The purchase of the 1.310 acres and a proposed manufactured home triggers a plat and per the development agreement, voluntary annexation.

Voluntary annexation is governed by Section 43.028 of the Texas Local Government Code and applies only to the annexation of an area that is: (1)less than one-half mile in width, (2)contiguous to the annexing municipality, and (3) vacant and without residents or on which fewer than three qualified voters reside.

On February 15, 2018, the City Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule to consider the annexation of the subject property. The second public hearing is scheduled as a special meeting of the City Council, on Friday, April 6, 2018 at 8:30 am in the City Council Chambers.

The proposed schedule anticipates completion of annexation proceedings through a Second Reading at City Council on May 17, 2018.

Mayor Pro Tem Davis declared the public hearing open with regards to agenda item 4, and asked if anyone wished to address this item. There being none, Mayor Pro Tem Davis declared the public hearing closed.

## **V. CONSENT AGENDA**

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

**(A) March 15, 2018 Special and Regular Meeting**

**(B) March 16, 2018 Special Meeting**

**(C) March 22, 2018 Special Meeting**

**(D) 2018-9085-R: Consider adopting a resolution authorizing the purchase of a compact street sweeper from Pollock Paper Distributors of Grand Prairie in the amount of \$30,571.95.**

**(E) 2018-9086-R: Consider adopting a resolution authorizing the purchase of 80 traffic signal Ethernet switches in the amount of \$72,825.22 from Solid IT Networks, Inc. of Houston.**

**(F) 2018-9087-R: Consider adopting a resolution authorizing annual contract renewal with SHI Government Solutions of Austin, in the amount of \$169,808.12, for Microsoft Software Enterprise licensing.**

**(G) 2018-9088-R: Consider adopting a resolution authorizing the purchase of right of way necessary for the expansion of Kegley Road Phase IV and authorizing closing costs associated with the purchase in an estimated amount of \$7,000.**

**(H) 2018-9089-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 5, 2018 through September 4, 2018.**

**(I) 2018-9090-R: Consider adopting a resolution authorizing a construction contract with Montgomery Construction of Hewitt in**



the amount of \$74,318.55 for replacement of the roof at the Social Security Administration Building.

**(J) 2018-9091-R: Consider adopting a resolution authorizing change order #2 to the construction contract with Archer Western Construction, LLC, of Irving, in the amount of \$62,890.97 to construct Phase 1 of the Temple-Belton Wastewater Treatment Plant Expansion.**

**(K) 2018-9092-R: Consider adopting a resolution authorizing a change order to a construction contract for the street overlay program for FY 2018 with Oldcastle Materials Texas, Inc. (formerly known as APAC-Texas, Inc.) of Cedar Park in the estimated amount of \$291,310.**

**(L) 2018-9093-R: Consider adopting a resolution authorizing a professional services agreement with Stateside Right of Way Services, Inc., in an amount not to exceed \$61,000 for acquisition and relocation services for five properties needed for Phase 6 of the Outer Loop, as well as, declare an official intent to reimburse the expenditures with the issuance of the 2018 Tax Increment Financing Reinvestment Zone Revenue Bonds.**

**(M) 2018-9094-R: Consider adopting a resolution authorizing contract amendment #2 to a professional services agreement with Kasberg, Patrick & Associates, LP, in an amount not to exceed \$365,311 for construction administration and on-site representation required to construct the Shallowford Lift Station Improvements.**

**(N) 2018-9095-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.**

**(O) 2018-4901: SECOND READING: Consider adopting an ordinance authorizing a renewal of the franchise with Acadian Ambulance Service, Inc., to provide non-emergency ambulance transfer services within the City.**

**(P) 2018-4902: SECOND READING: Consider adopting an ordinance authorizing the closure of a section of Avenue C, between Avenue B and Main Street, and the closure of a section of 1st Street south of Avenue B.**

**(Q) 2018-4903: SECOND READING – Z-FY-18-11: Consider adopting an ordinance authorizing a rezoning from Agricultural district to General Retail district on Lots 1 & 2, Block 5 of South**

**Pointe Phase I, 2.21 +/- acres, located on the north side of Loop 363, approximately 172 feet south east of its intersection with Dogwood Lane, addressed as 3137 & 3131 Alton Road.**

**(R) 2018-9096-R: Consider adopting a resolution amending a street use license (SUL-FY-15-02) to allow existing buildings and improvements both above and below ground, on Lot 3, Block 1, Golden Valley Subdivision, with an encroachment of 50 +/- feet that covers 0.67 of an acre into the Georgetown Railroad Right-of-Way.**

**(S) 2018-9097-R: Consider adopting a resolution rescinding Resolution No. 94-656-R, which was passed and approved on February 17, 1994 and established a Police Reserve Unit for the Temple Police Department.**

**(T) 2018-9098-R: Consider adopting a resolution revising the City of Temple Housing Improvement Program Guidelines and authorizing the City Manager to waive permitting fees related to the program.**

**(U) 2018-9099-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.**

Motion by Councilmember Judy Morales to approve consent agenda, tabling items 5(K) and 5(T), seconded by Councilmember Susan Long.

Motion passed unanimously.

**(K) 2018-9092-R: Consider adopting a resolution authorizing a change order to a construction contract for the street overlay program for FY 2018 with Oldcastle Materials Texas, Inc. (formerly known as APAC-Texas, Inc.) of Cedar Park in the estimated amount of \$291,310.**

Motion by Councilmember Mike Pilkington to table item 5 (K), seconded by Councilmember Judy Morales.

Motion passed unanimously.

**(T) 2018-9098-R: Consider adopting a resolution revising the City of Temple Housing Improvement Program Guidelines and authorizing the City Manager to waive permitting fees related to the program.**

Motion by Councilmember Susan Long to table item 5(T), seconded by Councilmember Judy Morales.

Motion passed unanimously.

## **VI. REGULAR AGENDA**

### **RESOLUTIONS**

- 6. 2018-9100-R: Consider adopting a resolution authorizing approval of a dual street name of West Avenue A /Santa Fe Way on a section of West Avenue A between South 3rd Street and South 11th Street in the City of Temple, Bell County, Texas.**

Jason Deckman, City Planner provided a presentation to Council. He stated that the staff recommends approval for the dual naming of West Avenue A / Santa Fe Way: (1) per the Street Naming Policy adopted on October 1, 2015: "Parks, facilities, or streets may be named for a location, such as the name of the adjacent street or the related plat or subdivision," (2) the related subdivisions named "Santa Fe Plaza West" and "Santa Fe Plaza West Phase II".

He stated that the City Manager received a request from David Blackburn, President of the Temple Economic Development Corporation, to dual name West Avenue A / Santa Fe Way. The Santa Fe Plaza project, expected to be complete this summer, features two new office buildings. The Temple Chamber of Commerce and TEDC will share one building; the other will house the Administrative offices of the Temple Independent School District.

If this request is approved by City Council, current addresses on West Avenue A between South 3<sup>rd</sup> Street and South 11<sup>th</sup> Street will remain effective and therefore, should not impact mail delivery or 9-1-1 emergency services.

Assigning a dual name to this segment of West Avenue A allows TEDC, TISD, and other tenants to advertise a 'Santa Fe Way' address, which will connect with branding and marketing efforts.

Motion by Councilmember Susan Long to adopt resolution as presented, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

7. **2018-9101-R: Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that a 0.639-acre permanent easement situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas is necessary for the construction of the Charter Oak Water Line and authorizing the use of eminent domain to condemn the property.**

Christina Demirs, Deputy City Attorney provided a presentation to Council. She stated that the City is in the design phase for the proposed construction of the Charter Oak Water Line. The design requires the acquisition of a 0.639-acre permanent easement situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, for the construction of the water line with its necessary appurtenances under Chapter 251, Local Government Code § 251.001.

An appraisal was performed on the property and the City made an offer to purchase the necessary easement, based on the appraisal, on May 31, 2016 via Lone Star Right of Way Services, Inc. The City and property owner were able to reach an agreement. In anticipation of closing, Lone Star had the title company update the title commitment. However, it was discovered that a Federal Tax Lien was placed on the property in February 2018 in amount that exceeds the agreed upon value of the easement. Therefore, to acquire the easement, the City must proceed to condemnation. A final offer was sent to the property owner on March 22, 2018. The owner has 14 days to respond, as required by the Texas Property Code.

Accordingly, Staff is asking pursuant to Chapter 2206, Government Code § 2206.053, for the City Council to authorize the use of the power of eminent domain to acquire the easement legally described as being 0.639-acre situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located along the Gulf, Colorado & Santa Fe Railroad, Temple, Texas, Bell County Appraisal District ID Number 5115.

Motion by Councilmember Mike Pilkington to adopt Resolution No. 2018-9101-R and authorize the use of the power of eminent domain to acquire a permanent easement on a property located along the Gulf, Colorado & Santa Fe Railroad in Temple, Texas, and more particularly described as being 0.639-acre situated in the NANCY CHANCE SURVEY, ABSTRACT 5, Bell County, Texas, and being out of and a portion of the remainder of a called 8.632-acre tract conveyed to Juan Luis Leon and Selene Alvarez Leon in Document No. 2014-00040316, Official Public

Records of Real Property, Bell County, Texas for the construction of the Charter Oak Water Line, seconded by Councilmember Susan Long.

Motion passed unanimously.

## ORDINANCES

8. **2018-4904: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance establishing a speed limit of 45 miles per hour from the 5100 block of South 5th Street to the 6400 of South 5th Street.**

Kenny Henderson provided a presentation to Council. He stated that in the past decade the residential community has grown along South 5<sup>th</sup> Street between Waters Dairy and Farm to Market Road 93. With approximately 1,100 homes plus homes still to come, this has greatly increased the traffic along South 5<sup>th</sup> Street and the number of connecting intersections. Staff is recommending a speed limit reduction from 50 miles per hour to 45 miles per hour along South 5<sup>th</sup> Street from the 5100 block to the 6400 block. The Transportation Division conducted a speed study in the area mentioned and found the 85-percentile speed to be 53 miles per hour.

Susan Long stated that she gets more calls each week about traffic on 5th related to the loop but also concerning Marlanwood going toward Temple College. She also thanked staff for recommending this and asked that they also extend it north soon.

Mayor Pro Tem Davis declared the public hearing open with regards to agenda item 8, and asked if anyone wished to address this item.

JD Zeptner, 402 South 26th, addressed the Council stating that maybe placing a flashing light in this area would help to reduce speed as well.

There being no one else wishing to speak, Mayor Pro Tem Davis declared the public hearing closed.

Motion by Councilmember Judy Morales to adopt ordinance as presented, with second and final reading on April 19, 2018, seconded by Councilmember Susan Long.

Motion passed unanimously.

9. **2018-4905: FIRST READING – PUBLIC HEARING – Z-FY-18-13: Consider adopting an ordinance authorizing a rezoning from General Retail to Planned Development Multi-Family Three with a site development plan on 4.203 +/- acres for a five-story apartment building situated on Lot 5, Block 1, Temple Mall Addition Replat No. 1, addressed as 1210 Azalea Drive.**

Lynn Barrett, Assistant Director of Planning, provided a presentation to Council. She stated that staff recommends approval of Z-FY-18-13 rezoning the subject property from GR to PD-MF-3 for a five-story, 140 unit apartment building with the following conditions: (1) substantial compliance with the attached development/site plan including Azalea sidewalk, (2) provide a landscaped area exceeding 20% (approximately 37,000 square feet) with 79 trees and 316 bushes; 50% to be from medium/large list (exceeds requirements of 5% landscaping), (3) a 10 foot landscaped buffer yard along the frontage with Azalea, (4) building elevations would substantially comply with submitted plans, (5) changes to the development site plan related to drainage considerations for site approval at the building permit stage would not be considered a substantial change.

She also stated that at their March 5th, 2018 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the rezoning and development site plan to PD MF-3 per staff's recommendation.

She also stated that Ace Reneau, on behalf of the owner Temple Mall LLC, requests a rezoning from General Retail on a portion of the undeveloped back portion of the Temple Mall property that was recently re-platted creating the subject lot. Through a PD MF-3, the applicant is proposing an apartment building of five stories with pool and resident plaza, with surrounding parking on three sides. Due to its shape, the property presents challenges relating to buffering the parking area, which are offset by the additional landscaping offered. There will be a mix of one and two bedroom units for a total of 140 included in the project. Amenities include a swimming pool and resident plaza. Full water, sewer and drainage plans would be reviewed by staff at the building permit stage. Due to changes in development patterns away from huge retail shopping malls, staff believes this an appropriate use for the property.

Four egress points would be provided: two onto Azalea Drive

and two into the adjacent mall property having additional outlets onto the Loop, 31<sup>st</sup> Street and Lowes Drive. Additional traffic analysis shows the peak hour trip figures for an apartment building and a shopping center, with a shopping center generating considerably more traffic.

Engineer trip generation rates for the 140 units, peak hour trips would be calculated at 81, which is the equivalent number of trips to a 16,000 square foot shopping center. The development has two access points to Azalea Drive and two internal access points to the Temple Mall property which lead to Lowes Drive and to the Loop. Access concerns could be addressed in the future with a potential driveway connection to an unimproved adjacent Right of Way that intersects Lowes Drive.

The applicant, Mr. Reneau, and owner, Temple Mall LLC, represented by Hal Thorne and Kirk Wilson, met with planning and legal staff and the City Manager on March 21<sup>st</sup> to discuss a realignment proposal for the western side of Azalea Drive, which is currently privately owned. The attendees gave a verbal commitment to dedicating Right-of-Way to the city to reconfigure Azalea Drive from 31<sup>st</sup> Street extending to the current city ROW.

Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding.

On January 19, 2018, the DRC met to discuss the proposal.

Auto Urban Commercial is the dominant future land use for this area. The *Choices '08* City of Temple Comprehensive Plan states that the Auto Urban Commercial character district is suited for commercial development with larger sites predominating. The PD provides an alternative use for an aging undeveloped corner of existing developed commercial property and would reflect the general movement away from large, concentrated mall shopping centers.

The applicant proposes to construct a sidewalk along Azalea. It is not near the trails master plan area.

Water and sewer are available through several potential connections. Details of public facilities and extensions will be addressed during the permitting process.

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." The development

site plan will provide the development and dimensional standards for this development.

Six 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. One notice has been returned in favor of the proposed rezoning (property owners). Additionally **Temple ISD has returned a notice in favor of this development**; and zero notices have been returned in opposition to the proposed rezoning.

Mayor Pro Tem Davis declared the public hearing open with regards to agenda item 9, and asked if anyone wished to address this item. There being none, Mayor Pro Tem Davis declared the public hearing closed.

Motion by Councilmember Judy Morales to adopt ordinance as presented, with second and final reading on April 19, 2018, seconded by Councilmember Susan Long.

Motion passed unanimously.

10. **2018-4906: FIRST READING – PUBLIC HEARING – Z-FY-18-15: Consider adopting an ordinance authorizing rezoning from Agricultural to General Retail proposed for 3 +/- acres and Multiple-Family Dwelling 1 proposed for 1 +/- acre, located on the eastside of State Highway 317, approximately 1,100 feet south of its intersection with Hogan Road, addressed as 5701 State Highway 317.**

Mark Baker, Senior Planner provided a presentation to Council. He stated that staff recommends approval for a rezoning from AG to NS district, of the three western-most acres and keeping the eastern one acre AG for the following reasons: (1) the location and acreage of the proposed NS zoning is compatible with surrounding zoning, existing and anticipated uses as well as future growth trends in the area; (2) existing residential uses will be buffered and screened from all non-residential uses at the common borders between the NS & Agriculturally-zoned property or the NS & residentially used or zoned property; (3) the proposal is in compliance with the Thoroughfare Plan; and (4) public facilities are currently available to serve the subject property as a three employee office.

He also stated that during the March 5, 2018 Planning & Zoning Commission meeting, concerns were discussed about the following: (1) traffic and access to the project site from SH 317; (2) expansion and timing of upgrades to existing utilities beyond



a three employee office use; and (3) undesired impacts associated with potential multi-family & non-residential uses fronting along SH 317. As a result of the discussion items, the applicant agreed to table the request until the March 19, 2018 Planning & Zoning Commission meeting and meet with staff to discuss options.

On March 13, 2018, staff met with the applicant to discuss options and alternatives. The applicant and staff are in agreement to proceed with Neighborhood Service instead of General Retail and withdraw the one acre of MF-1 from the request, effectively reducing the request from four acres to three acres all of which would be for NS. Additionally, the buffer has been increased by a distance of approximately 176 feet between the NS-zoned-portion of the property and the adjacent residential property, for a total distance of 327 feet. As presented at the March 5, 2018 Planning & Zoning Commission meeting and discussed later in this report, a 4/5<sup>th</sup> vote by City Council is still required even though the request has been revised.

At their March 19, 2018 meeting, the Planning & Zoning Commission voted six to zero to recommend approval per staff's recommendation for NS on the three western-most acres of the subject property.

Mr. Baker stated that the applicants, Michael Allen & Cy Long, initially requested rezoning of 4.00 +/- acres from Agricultural zoning district to a combination of three acres for General Retail and one acre of Multiple-Family 1 zoning districts. The MF-1 would have allowed up to 15 dwelling units per acre. As a result of discussion at the March 5, 2018 Planning & Zoning Commission and subsequent agreement between the applicant and Planning staff, the Planning and Zoning Commission recommended approval from AG to NS for the three western-most acres of the subject property.

The applicant proposes to use current structures for non-residential uses within the current confines of the existing septic system. Expansion will require review of a subdivision plat and evaluation of whether utilities need to be upgraded and/or extended.

While TxDOT has been notified of the rezoning, no formal response has been received by staff. A TxDOT permit however, to widen the existing 16-foot driveway to 24 feet wide, was issued to the applicant on November 1, 2017.

Per UDC Section 7.7.4, buffering and screening standards apply

along the common boundary between nonresidential and an agricultural use or residential zoning district or use.

The subject property is split by two Future Land Use Map designations, the Suburban Commercial and the Suburban Residential designations. The Suburban Commercial designation is appropriate for office and retail service uses and supports Office 1, Office 2 and Neighborhood Service zoning designations. Therefore, the requested rezoning is in **compliance** with the Future Land Map.

The subject property takes access from State Highway 317, an arterial street. While TxDOT improvements are on-going, the state was notified of the proposed rezoning and no comments have been received. TxDOT improvements include a 10-foot sidewalk on the east side of SH 317. According to TxDOT, the SH 317 improvements include widening from two lanes to four lanes with, two lanes in each direction, with a raised center median. Specifically related to this rezoning, median breaks will be provided at Hogan Road, Oak Hills Road and Poison Oak Road.

Sewer is available through the extension of an existing eight inch sewer line in Oak Hills Drive. On October 26, 2017, Bell County Health Department issued a letter authorizing the use of the existing septic for an office use with a maximum of three employees. Water is available through an existing two inch water line in SH 317. While, according to the Public Works Department, the two inch water line will be adequate for the proposed office use, the necessity to upsize the water line will need to be re-evaluated with any future expansion to the property. Evaluation will be through the platting process.

A proposed local connector trail is shown on the Trails Master Plan. SH 317, as an arterial requires a six foot sidewalk. Compliance with the Trails Master Plan and sidewalks will be addressed during the plat process. However, the City of Temple has agreed to fund the upsizing of a new sidewalk designed by TxDOT, from six feet to 10-feet, to comply with the Trails Master Plan.

Four notices to property owners, were sent to property owners within 200-feet of the subject property containing notice of the public hearing as required by State law and City Ordinance. One notice in agreement, two notices in disagreement and one notice from outside of the notification boundary, for a total of four notices have been received. Staff has calculated the land area within the notification boundary at 47.89% to be in opposition. Since the initial rezoning request for GR & MF-1 has

been advertised, per UDC Section 3.4.4, a 4/5<sup>th</sup> vote by City Council has been triggered in order to approve the request.

Mayor Pro Tem Davis declared the public hearing open with regards to agenda item 10, and asked if anyone wished to address this item.

JD Zeptner, 402 South 26th, addressed the Council with concerns about the traffic in that intersection concerning the gravel pit in that area.

Brynn Myers, City Manager, stated that the 317 project is a TxDot project, not a City of Temple project and her understanding is that the entrance to the quarry will remain where it is since the owners did not agree to move it to the intersection. However TxDot has installed some additional capacity at that signal to help improve safety and will pass his concerns on to TxDot.

There being no one else wishing to speak, Mayor Pro Tem Davis declared the public hearing closed.

Motion by Councilmember Susan Long to adopt ordinance as per staff recommendation, to approve AG to NS for three western most acres of the subject property, with second and final reading on April 19, 2018, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

**11. 2018-4907: FIRST READING – PUBLIC HEARING – Z-FY-18-16: Consider adopting an ordinance authorizing a rezoning and site development plan on 81.00 +/- acres from Agricultural zoning district to Planned Development Single Family Two zoning district, addressed as 1810 South Pea Ridge Road in the Baldwin Robertson Survey, Abstract No. 17, Temple, Texas.**

Lynn Barrett, Assistant Director of Planning, provided a presentation to Council. She stated that staff recommends approval with conditions for a rezoning from the current AG zoning district to the PD-SF zoning district for the following reasons: (1) that the proposed Development Plan/Site Plan reflects compliance with the provisions of the Planned Development Criteria as required by Unified Development Code Section 3.4.5; (2) the request is in compliance with the Future Land Use Map Suburban Residential designation and current adjacent subdivisions; (3) the proposed zoning is compatible

with surrounding zoning; (4) the request complies with the Thoroughfare Plan and Trails Master Plan; and (5) public facilities are nearby to serve the subject property.

PD Conditions to be (1) Substantial compliance with the attached Development Plan/Site Plan; (2) 20' Front setbacks, 10' rear, 10' side setbacks street side, 5' side setbacks interior lots; (3) paved trail heads provided to adjacent city trails planned; (4) No single residential lots with drive access onto realigned South Pea Ridge Road; shared drive if needed only with No Backing requirement; (5) east of Pea Ridge realignment (approximately three acres), option of one or two family dwellings with two family only on minimum 60 foot wide lots; (6) maximum of 350 total lots; (7) sodded front yards; (8) one tree in each front yard minimum 2" diameter at breast height; (9) minimum of three 5 gallon shrubs, five 1-gallon shrubs in front yard; (10) front facade of each structure will have a minimum of two architectural features of roof breaks, columns, gables, varied roof pitch, etc; (11) each home facade is required to be a minimum of 80% masonry except for gables, dormers, eaves, overhangs, porches, etc; (12) front facade to be a minimum of 50% masonry excluding hardie plank siding with same permitted exceptions as written above; (13) residential sidewalks as shown to be installed as homes are constructed. Sidewalk along South Pea Ridge portion will be built along with oversizing the roadway to collector standards.

At their March 5, 2018 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the rezoning to PD SF-2 with development/site plan per staff's recommendation.

The applicant, WBW, is owner of the 81 acres and is proposing development of the subject property with future plans for an accompanying land swap of a comparably sized parcel of city adjacent property with acreage it owns to provide parkland for the additional connecting portion of drainage areas at the east side of their tract. This will require an additional PD amendment to add the swapped portion prior to development. Additionally, the developer will participate in realigning South Pea Ridge Road through their property. The PD request currently is just for the property the applicant currently owns. Consideration of the land swap is proposed for the April 19<sup>th</sup> Council agenda.

Per UDC Section, 3.4.3.A, a PD is subject to review and approval by City Council and requires a binding site plan. In this case, the proposal would include a future amendment to add additional property to the development.

As required by UDC Section 3.4.2 B, the Development Plan/Site Plan for the proposed PD was reviewed by the Development Review Committee on February 20, 2018. Site characteristics, proposed land swap and history of the property were discussed.

In the FLUM, the subject property is designated as the Suburban Residential character district. This district is intended for residential subdivisions of medium density as represented by this PD. The proposal is in compliance with the FLUM and adjacent current zoning.

The subject property takes access from South Pea Ridge Road, which is designated as a collector in the Thoroughfare Plan and will be realigned in compliance with engineering best practices for a curvilinear route through the subject property. The upsizing of pavement width from a local subdivision street to the collector cross section is proposed to be completed by the developer and cost-shared with the city. Water and Sewer are available to service the subject property.

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." Fifty-one notices were mailed to property owners within the 200 feet buffer area of the subject property. The notices included information on the public hearing as required by State Law and City Ordinance. Ten notices in disagreement; and four in agreement (two from property owner) were returned. Disagreement response totals less than 9% of the buffer area. Additionally, eight neighbors living outside the 200 feet buffer area sent in disagreement responses.

Mayor Pro Tem Davis declared the public hearing open with regards to agenda item 11, and asked if anyone wished to address this item.

JD Zeptner, addressed the council with regards to the duplexes being proposed. Doesn't want to see the property value decrease due to single family duplexes.

Josh Welsh, WBW Development, 3000 Illinois Avenue, Killeen, Texas addressed the concerns. He noted he did not believe the single family duplexes in this area would decrease the property value. Mr. Welsh thanked the City for working on this plan to enhance this area. One of the P & Z concern was for the height of the structures and since then, they have added a condition for those adjacent to be single story. He also stated that they feel

these properties will enhance this area.

Mrs. Myers stated that if the Council makes a motion per staff recommendation, it would include that condition.

Councilmember Mike Pilkington stated he was interested in this development and thanked Mr. Welch and City staff for his efforts.

There being no one else wishing to speak, Mayor Pro Tem Davis declared the public hearing closed.

Motion by Councilmember Susan Long to adopt ordinance as recommended by Staff to include the 13 conditions, with second and final reading on April 19, 2018, seconded by Councilmember Judy Morales.

Motion passed unanimously.

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

---

Daniel A. Dunn, Mayor

ATTEST:

---

Lacy Borgeson  
City Secretary

## **SPECIAL MEETING OF THE TEMPLE CITY COUNCIL**

**APRIL 6, 2018**

The City Council of the City of Temple, Texas conducted a Special Meeting on Friday, April 6, 2018 at 8:30 AM, in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

**Present:**

Councilmember Susan Long  
Mayor Pro Tem Timothy Davis  
Councilmember Mike Pilkington  
Councilmember Judy Morales

**Absent:**

Mayor Daniel A. Dunn

**I. CALL TO ORDER**

**1. Invocation**

Mayor Pro Tem Tim Davis voiced the invocation.

**2. Pledge of Allegiance**

Rhonda Hite, Records Specialist lead the Pledge of Allegiance.

**II. ANNEXATION - PUBLIC HEARING**

**3. PUBLIC HEARING: Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of 1.310 acres of land out of the William Gilmore Survey, Abstract No.339, Bell County, Texas, in the extraterritorial jurisdiction of the City of Temple, Bell County, Texas, located at 2391 FM 1237.**

Tammy Lyerly, Senior Planner, provided a presentation to Council. She stated that Janet Clark filed a petition on January 18, 2018, seeking voluntary annexation of 1.310 acres into the City of Temple. Ms. Clark purchased this 1.310-acre tract from Royce and Diane Oliver, whose 12.64-acre tract is subject to a 2008 development/non-annexation agreement. The purchase of the 1.310 acres and a proposed manufactured home triggers a plat and per the development agreement, voluntary annexation.

Voluntary annexation is governed by Section 43.028 of the Texas Local Government Code and applies only to the annexation of an area that is: (1) less than one-half mile in width, (2) contiguous to the annexing municipality, and (3) vacant and without residents or on which fewer than three qualified voters reside.

On February 15, 2018, the City Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule to consider the annexation of the subject property. The first public hearing was at the **regular meeting** of the City Council, on Thursday, April 5, 2018 at 5:00 pm in the City Council Chambers. The proposed schedule anticipates completion of annexation proceedings through a second reading at City Council on May 17, 2018.

Mayor Pro Tem Tim Davis declared the public hearing open with regards to agenda item 3, and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

---

Daniel A. Dunn, Mayor

ATTEST:

---

Lacy Borgeson  
City Secretary





## COUNCIL AGENDA ITEM MEMORANDUM

---

04/19/18  
Item #3(C)  
Consent Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of sports field equipment for Crossroads Park in the amount of \$28,918.22 from the following vendors:

1. Pioneer Manufacturing Company dba Pioneer Athletics of Cleveland, OH in the amount of \$15,268.00, and
2. BSN Sports of Dallas in the amount of \$13,650.22.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** Authorization of the purchase of this sports field equipment will outfit the baseball and softball fields within Crossroads Park with field bases, batter's boxes, and pitching mounds. On December 7, 2017, Council authorized a construction contract with Sports Field Solutions (SFS) utilizing a BuyBoard Contract. SFS's BuyBoard contract did not provide for the procurement of field equipment. Accordingly, this purchase will complete the purchase of what is needed to make the baseball and softball fields play ready.

Staff is recommending purchase of the following sports equipment for the baseball and softball complexes at Crossroads Park:

- Pro Base Sets without Anchors
- Double First Bases
- Base Anchors
- Home Plates
- Jox Box Batter's Boxes
- Pitching Mounds
- Pitching Rubbers

Pioneer Athletics and BSN Sports have both been awarded contract #502-16 by BuyBoard, which the City will use for this purchase. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

**FISCAL IMPACT:** This project is funded with Parks GO Bonds that were approved by voters on May 9, 2015, and sold on September 24, 2015, and Reinvestment Zone No. 1 funds. Funding for the purchase of sports field equipment for Crossroads Park in the amount of \$28,918.22 is available as follows:

	<u>362-3500-552-6402</u>	<u>795-9500-531-6867</u>	<u>795-9800-531-6867</u>	<u>Total</u>
	<b>101311</b>	<b>101005</b>		
Project Budget	\$ 14,313,691	\$ 2,974,850	\$ 2,950,150	\$ 20,238,691
Encumbered/Committed to Date	(13,534,916)	(2,974,850)	(2,950,150)	(19,459,916)
<b>Pioneer Manufacturing</b>	(15,268)	-	-	(15,268)
<b>BSN Sports</b>	(13,650)	-	-	(13,650)
<b>Remaining Project Funds</b>	<b>\$ 749,857</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 749,857</b>

The remaining project funds will be used for other park amenities and water costs associated with the establishment of the turf throughout the park.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2018-9102-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF SPORTS FIELD EQUIPMENT FOR CROSSROADS PARK IN THE COMBINED AMOUNT OF \$28,918.22 FROM PIONEER MANUFACTURING COMPANY, DBA PIONEER ATHLETICS OF CLEVELAND, OHIO AND BSN SPORTS OF DALLAS, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the purchase of sports field equipment will outfit the baseball and softball fields within Crossroads Park with field bases, batter's boxes, and pitching mound, and make the baseball and softball fields play ready;

**Whereas**, on December 7, 2017, Council authorized a construction contract with Sports Field Solutions (SFS) utilizing a BuyBoard Contract, however, the contract did not provide for the procurement of field equipment;

**Whereas**, Staff recommends Council authorize the purchase of the following sports equipment for the baseball and softball complexes at Crossroads Park:

- Pro Base Sets without Anchors;
- Double First Bases;
- Base Anchors;
- Home Plates;
- Jox Box Batter's Boxes;
- Pitching Mounds; and
- Pitching Rubbers;

**Whereas**, Pioneer Athletics and BSN Sports have both been awarded BuyBoard Contract No. 502-16, which will be used for this purchase - contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

**Whereas**, this project is funded with Parks GO Bonds that were approved by voters on May 9, 2015, and sold on September 24, 2015, as well as Reinvestment Zone No. 1 funds in the following accounts:

Account No. 362-3500-552-6402, Project No. 101311;  
Account No. 795-9500-531-6867, Project No. 101005; and  
Account No. 795-9800-531-6867, Project No. 101005;

**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 sports field equipment for Crossroads Park in the combined amount of \$28,918.22, from Pioneer Manufacturing Company, dba Pioneer Athletics of Cleveland, Ohio and BSN Sports of Dallas, Texas.

**Part 3:** The City Council authorizes the City Manager, or her 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 19<sup>th</sup> day of April, 2018.

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

---

04/19/18  
Item #3(D)  
Consent Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of an easement and temporary construction easement necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$2,500.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** The City owns and operates the Shallowford Lift Station and Force Main. The Lift Station receives wastewater flow from both the Bird Creek and Pepper Creek drainage basins. The City is currently rehabilitating and expanding both gravity interceptors within Bird Creek and the Lift Station to alleviate wastewater overflows and improve capacity. To adequately convey the increased flow from the Lift Station, it was determined the Shallowford Force Main needs to be expanded. The new force main will run parallel to the existing force main.

The design for Shallowford Force Main requires the acquisition of six easements from six property owners. Three of the easements needed have been acquired. With the assistance of Lone Star Right of Way Services (Lone Star), the City has reached an agreement with a property owner for the fourth easement. Negotiations continue with the remaining property owners. At this time, Staff is asking for authorization to purchase the easement and temporary construction easement necessary for the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$2,500.

The address and Bell County Appraisal District ID Number of the property is Taylors Valley Road, Belton—Bell CAD ID #461460.

**FISCAL IMPACT:** Funding for the purchase of an easement, temporary construction easement, and closing costs associated with the purchase necessary for the construction of the Shallowford Force Main in an estimated amount of \$2,500 is available in account 520-5900-535-6352, project 101512.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2018-9103-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF AN EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE SHALLOWFORD FORCE MAIN; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN ESTIMATED AMOUNT OF \$2,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City owns and operates the Shallowford Lift Station and Force Main which receives wastewater flow from both the Bird Creek and Pepper Creek drainage basins;

**Whereas**, the City is currently rehabilitating and expanding both gravity interceptors within Bird Creek and the Lift Station to alleviate wastewater overflows and improve capacity and in order to adequately convey the increased flow from the Lift Station, it was determined the Shallowford Force Main needs to be expanded - the new force main will run parallel to the existing force main;

**Whereas**, the design for Shallowford Force Main requires the acquisition of six easements from six property owners - three of the easements needed have been acquired;

**Whereas**, with the assistance of Lone Star Right of Way Services (Lone Star), the City has reached an agreement with a property owner for a fourth easement located on Taylors Valley Road, Belton (Bell CAD ID No. 461460) and negotiations continue with the remaining property owners;

**Whereas**, Staff recommends Council authorize the purchase of an easement and temporary construction easement which is necessary for the Shallowford Force Main and authorize closing costs associated with the purchase, in an estimated amount of \$2,500;

**Whereas**, funding is available for the purchase of an easement, temporary construction easement, and closing costs in Account No. 520-5900-535-6352, Project No. 101512; 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 an easement and a temporary construction easement located on Taylors Valley Road, Belton (Bell CAD ID No. 461460) which is necessary for the Shallowford Force Main and authorizes closing costs associated with the purchase, in an estimated amount of \$2,500.

**Part 3:** The City Council authorizes the City Manager, or her 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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(E)  
Consent Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the acceptance of a donation of a 0.054-acre permanent drainage easement and a 0.127-acre temporary construction easement from Kiella Family, Ltd., which are necessary for the construction of the Conner Park Drainage Channel Improvement project.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** A Pepper Creek tributary drains south from Adams Avenue into a grass channel where it repeatedly escapes its banks and floods property and structures in the vicinity of Conner Park in west Temple. Smaller drainage swales that contribute to this tributary also back up and cause repetitive nuisance flooding to adjacent properties. The tributary continues through a detention pond and goes underground into box culverts along the west side of the Brazos Bend subdivision. It reemerges through a grass channel before joining the Thompson drainage channel at Old Waco Road.

The Connor Park Drainage Channel Improvement Project requires the acquisition of seven rights-of-way and two drainage easements. All needed rights of way and one drainage easement have been acquired.

At this time, Staff is seeking authorization for the acceptance of the donation of a 0.054-acre drainage permanent easement and a 0.127-acre temporary construction easement from Kiella Family, Ltd., which are necessary for the construction of the Conner Park Drainage project.

The address of the easement encompasses a portion of 7108 & 7106 Tanglehead Drive, Temple, Bell CAD IDs 231127 and 231128.

**FISCAL IMPACT:** The City will be responsible for future maintenance of the property and any costs associated with the closing transaction on the land which are expected to be nominal.

**ATTACHMENTS:**

[Resolution](#)



RESOLUTION NO. 2018-9104-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF A DONATION OF AN APPROXIMATELY 0.054 ACRE PERMANENT DRAINAGE EASEMENT AND AN APPROXIMATELY 0.127 ACRE TEMPORARY CONSTRUCTION EASEMENT FROM KIELLA FAMILY, LTD., WHICH ARE NECESSARY FOR THE CONSTRUCTION OF THE CONNER PARK DRAINAGE CHANNEL IMPROVEMENT PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, a Pepper Creek tributary drains south from Adams Avenue into a grass channel where it repeatedly escapes its banks and floods property and structures in the vicinity of Conner Park in west Temple and smaller drainage swales that contribute to this tributary also back up and cause repetitive nuisance flooding to adjacent properties;

**Whereas**, the tributary continues through a detention pond and runs underground into box culverts along the west side of the Brazos Bend subdivision where it reemerges through a grass channel before joining the Thompson drainage channel at Old Waco Road;

**Whereas**, the Connor Park Drainage Channel Improvement Project requires the acquisition of seven rights-of-way and two drainage easements - all needed rights of way and one drainage easement have been acquired at this time;

**Whereas**, Staff recommends Council accept the donation of an approximately 0.054-acre permanent drainage easement and an approximately 0.127-acre temporary construction easement from Kiella Family, Ltd., which are necessary for the construction of the Conner Park Drainage project;

**Whereas**, the address of the easements encompasses a portion of 7108 & 7106 Tanglehead Drive, Temple (Bell CAD IDs 231127 and 231128);

**Whereas**, the City will be responsible for future maintenance of the property and any costs associated with the closing transaction on the land which are expected to be nominal; 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 accepts the donation of an approximately 0.054-acre permanent drainage easement and an approximately 0.127-acre temporary construction easement from Kiella Family, Ltd., which are necessary for the construction of the Conner Park Drainage

project.

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

**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 19<sup>th</sup> day of **April**, 2018.

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

---

04/19/18  
Item #3(F)  
Consent Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

Nicole Torralva, P.E., Public Works Director  
Don Bond, P.E., CFM, City Engineer

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing change order #2 to the construction contract with S.J. Louis Construction of Texas, LTD., of San Antonio, in the amount of \$368,492.26 for the Leon River Interceptor.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** On May 18, 2016, Council authorized a construction contract with SJ Louis for construction of the first phase of the Leon River Interceptor which will provide gravity collection of sanitary wastewater from properties extending from the Leon River to the City's Water Treatment Plant.

The attached change order includes the addition of 90 linear feet of 18-inch encasement by bore, two access gates, and additional installation depth of sewer pipe and manholes.

The original construction contract amount is \$4,092,036.59. Previous change orders totaling \$81,719.88 result in a current revised contract amount of \$4,173,756.47. This change order represents a contract increase of \$368,492.26 or 9.0% of the original contract amount. The net increase in the contract amount including previous change orders is \$450,212.14 or 11.0% of the original contract amount. The revised contract amount is \$4,542,248.73.

The engineering consultant has reviewed the change order and recommends approval.

There are 28 days added to the contract time for the change order.

The change order costs are:

1. Item A-12, 90 LF of 18" Encasement by bore	\$ 26,100.00
2. Item CO2-1, Access gates @ WTP	\$ 3,266.00
3. Item CO2-2, additional Depth of Pipe/Manholes	<u>\$339,126.26</u>

<b>Total</b>	<b><u>\$368,492.26</u></b>
--------------	----------------------------

Original Contract Amount	\$ 4,092,036.59
Previous Net Change in Contract Amount	\$ 81,719.88
Net Change in Contract Amount	\$ 368,492.26
Revised Contract Amount	\$ 4,542,248.73
Original Contract Time	365 Days
Previous Net Change in Contract Time	00 Days
Net Change in Contract Time	28 Days
Revised Contract Time	393 Days
Original Final Completion Date	July 10, 2018
Revised Final Completion Date	August 7, 2018

**FISCAL IMPACT:** Funding for change order #2 with S.J. Louis Construction in the amount of \$368,492.26 for the construction of the Leon River Interceptor is available in account 561-5400-535-6941, project 100851, as follows:

Project Budget	\$ 5,823,956
Encumbered/Committed to Date	(5,437,951)
<b>S.J. Louis Construction Change Order #2</b>	<b>(368,492)</b>
<b>Remaining Project Funds Available</b>	<b>\$ 17,513</b>

**ATTACHMENTS:**

[Recommendation Letter](#)  
[Change Order Form](#)  
[Project Map](#)  
[Resolution](#)



**KASBERG, PATRICK & ASSOCIATES, LP**  
CONSULTING ENGINEERS  
Texas Firm F-510

Temple

One South Main Street  
Temple, Texas 76501  
(254) 773-3731

**RICK N. KASBERG, P.E.**  
**R. DAVID PATRICK, P.E., CFM**  
**THOMAS D. VALLE, P.E.**  
**GINGER R. TOLBERT, P.E.**  
**ALVIN R. "TRAE" SUTTON, III, P.E., CFM**  
**JOHN A. SIMCIK, P.E., CFM**

Georgetown

1008 South Main Street  
Georgetown, Texas 78626  
(512) 819-9478

March 27, 2018

Mr. Richard Wilson, P.E.  
3210 E. Avenue H  
Building A  
Temple, Texas 76501

Re: City of Temple, Texas  
Leon River Trunk Sewer

Dear Mr. Wilson:

Attached is Change Order Number Two in the amount of \$368,492.26 for the above referenced project. SJ Louis Construction of Texas, Ltd. is the Contractor. This change order includes the addition of 90 linear feet of 18" encasement by bore, addition of access gates at the Temple Water Treatment Plant and for additional depth of excavation and manhole installation through the 302 Acres and Horny Toad Harley Davidson tracts. The additional encasement by bore was to avoid existing utilities in conflict with a bore pit. Two access gates were added to allow access to the Bell Peregrine property from the WTP. The actual depth of excavation required for the referenced sections was approximately one to one and a half feet deeper than shown on the plans. The variance is related to re-alignment of a portion of the segment into a bermed area. The additional depth caused increased material (manhole), excavation and dewatering costs. This change order includes the addition of 28 calendar days to the contract related to the additional construction time expended due to the additional depth of excavation and to replace/extend manholes to grade. We have reviewed the change order and recommend execution in the amount of \$368,492.26 to SJ Louis Construction of Texas' construction contract.

Sincerely,

Thomas D. Valle



TDV/

xc: 2013-127-40

## CHANGE ORDER

PROJECT: Leon River Trunk Sewer  
 OWNER: City of Temple  
 CONTRACTOR: SJ Louis Construction of Texas, Ltd  
 ENGINEER: Kasberg, Patrick & Associates, LP  
 CHANGE ORDER #: 2

Make the following additions, modifications or deletions (circle those that apply) to the work described in the Contract Documents:

1. Stabilized Construction Entrance and Excavation/Embedment to address unstable trench bottom:

Item	Description	Quantity	Unit	Cost	Total
A 12	18" Encasement by Bore	90	LF	\$ 290.00	\$ 26,100.00
CO2-1	Access Gates @ WTP	100%	LS	\$ 3,266.00	\$ 3,266.00
CO2-2	Additional Depth of Pipe/Manholes	100%	LS	\$ 339,126.26	\$ 339,126.26
				<b>Total Add</b>	<b>\$ 368,492.26</b>

The compensation agreed upon in this Change Order is full, complete and final payment for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Change Order.

Original Contract Amount	\$ 4,092,036.59
Previous Net Change in Contract Amount	\$ 81,719.88
Net Change in Contract Amount	\$ 368,492.26
Revised Contract Amount	\$ 4,542,248.73
Original Contract Time	365 Days
Previous Net Change in Contract Time	N/A
Net Change in Contract Time	28 days
Revised Contract Time	393 days
Original Final Completion Date	July 10, 2018
Revised Final Completion Date	August 7, 2018

Recommended By:

Recommended By:

Project Manager (City Staff)

Date

Architect/Engineer

Date

Agreed To:

Approved by City of Temple:

Contractor

Date

Brynn Myers, Interim City Manager

Date

Approved as to Form:

Approved by Finance Department:

City Attorney's Office

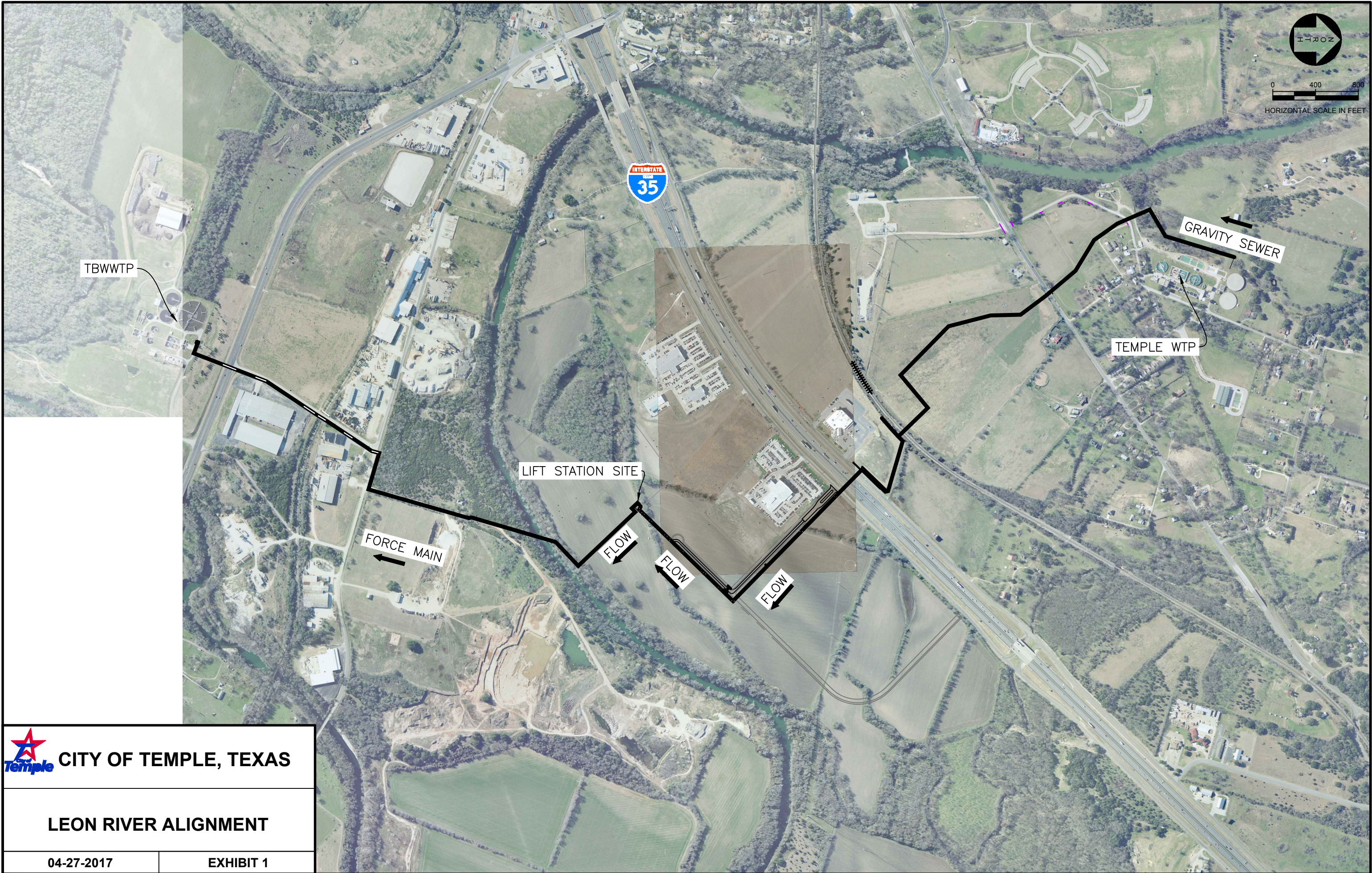
Date


Finance

Date



FILE: P:\Temple\2013\2013-12\CAD\WORKING\PBS.dwg LAST SAVED: 4/27/2017 4:31:23 PM LAYOUT: NO OWNERS



 <b>CITY OF TEMPLE, TEXAS</b>	
<b>LEON RIVER ALIGNMENT</b>	
<b>04-27-2017</b>	<b>EXHIBIT 1</b>



RESOLUTION NO. 2018-9105-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH S.J. LOUIS CONSTRUCTION OF TEXAS, LTD OF SAN ANTONIO, TEXAS IN THE AMOUNT OF \$368,492.26, FOR THE LEON RIVER INTERCEPTOR; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on May 18, 2016, Council authorized a construction contract with S.J. Louis for construction of the first phase of the Leon River Interceptor which will provide gravity collection of sanitary wastewater from properties extending from the Leon River to the City's Water Treatment Plant;

**Whereas**, Change Order No. 2 includes the addition of 90 linear feet of 18-inch encasement by bore, two access gates, and additional installation depth of sewer pipe and manholes;

**Whereas**, the original construction contract amount is \$4,092,036.59. Previous change orders totaling \$81,719.88 result in a current revised contract amount of \$4,173,756.47 - This change order represents a contract increase of \$368,492.26 or 9.0% of the original contract amount;

**Whereas**, Staff recommends Council authorize Change Order No. 2 to the construction contract with S.J. Lewis Construction of Texas, Ltd in the amount of \$368,492.26 for the Leon River Interceptor;

**Whereas**, funding is available for Change Order No. 2 in Account No. 561-5400-535-6941, Project No. 100851; 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 her designee, after approval as to form by the City Attorney, to execute Change Order No. 2 to the construction contract with S.J. Lewis Construction of Texas, Ltd in the amount of \$368,492.26 for the Leon River Interceptor.



**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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(G)  
Consent Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

Kevin Beavers, Director of Parks & Recreation  
Jeff Ward, Director of Golf

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Mid-America Golf & Landscape, Inc., dba Mid-America Sports Construction of Lee's Summit, MO, in the amount of \$523,537 for a greens resurfacing project at Sammons Golf Links.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** Authorization of this construction contract will provide for improvement of the greens at Sammons Golf Links. The project consists of the resurfacing of 16 greens and the reconstruction of two greens (Holes #5 and #7). On November 2, 2017, Council authorized a professional services agreement with Finger Dye Spann, Inc. (FDS) for the design of the project.

As shown on the attached bid tabulation, on April 5, 2018, three bids were received for the project ranging from a low base bid of \$489,905.27 to \$520,464. The bid specified that the contractor must be experienced in greens reconstruction and must have experienced staff to support the work. Accordingly, qualifications were reviewed for compliance with the specifications, and it was determined that Larson Golf Services, LLC did not meet the minimum qualification requirements. As such, Staff and FDS are recommending award of the construction contract to the second low bidder, Mid-America Golf & Landscape, Inc., dba Mid-America Sports Construction (Mid-America), who meets the stated qualification specifications. The recommended contract award to Mid-America is the amount of their base bid in the amount \$506,537, plus Add Alternate #2 in the amount of \$17,000, for a total contract award of \$523,537. Golf Course Staff is recommending the inclusion of Add Alternate #2 to ensure the golf course greens are constructed in compliance with the grade requirements to minimize drainage issues in the future.

Per the terms of the proposed contract, construction of the work must be substantially complete by July 20, 2018. The greens should be open for play in mid-October 2018 after the turf is established. The golf course will remain open during the construction through the use of temporary greens.

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval to appropriate additional funding for the construction contract with Mid-America for the greens resurfacing project at Sammons Golf Links. Funding in the amount of \$523,537 will be available in account 365-3100-551-6984, project 101771, as follows:

Project Budget	\$	550,000
Budget Adjustment		70,000
Encumbered/Committed to Date		(69,701)
Construction Award - Mid-America		(523,537)
Remaining Project Funds Available	\$	<u>26,762</u>

The remaining project funds will be used for installation of an irrigation system to be installed by Golf Course staff and as contingency funds, if needed to complete the project.

**ATTACHMENTS:**

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

**Tabulation of Bids Received  
on April 5, 2018 at 2:30 p.m.  
Greens Resurfacing at Sammons Golf Course  
Bid# 31-01-18**

			Bidders					
			Mid-America Golf & Landscape, Inc., A Missouri Corporation, dba Mid-America Sports Construction Lee's Summit, MO		Wadsworth Golf Construction Company Plainfield, IL		Larson Golf Services, LLC Spicewood, TX	
Description	Unit	Qty						
Mobilization								
1. Bonding Costs	LS	1	\$7,774.00	\$7,774.00	\$4,884.00	\$4,884.00	\$24,549.27	\$24,549.27
2. Mobilization / General Conditions	LS	1	\$34,255.00	\$34,255.00	\$60,000.00	\$60,000.00	\$19,639.42	\$19,639.42
Subtotal Mobilization:			\$42,029.00		\$64,884.00		\$44,188.69	
Site Preparation								
1. Preconstruction Staking and Layout	LS	1	\$12,000.00	\$12,000.00	\$15,500.00	\$15,500.00	\$1,718.45	\$1,718.45
2. Tree Stump and Root Removal in Area of Work on Hole 5	LS	1	\$3,500.00	\$3,500.00	\$4,240.00	\$4,240.00	\$1,472.96	\$1,472.96
3. Develop SWPPP Erosion Control Plan	LS	1	\$4,900.00	\$4,900.00	\$1,605.00	\$1,605.00	\$2,454.93	\$2,454.93
4. Silt Fence Allowance	LF	1,700	\$7.00	\$11,900.00	\$3.25	\$5,525.00	\$1.44	\$2,454.93
Subtotal Site Preparation:			\$32,300.00		\$26,870.00		\$8,101.27	
Earthwork								
1. Local Dozer Cut / Fill	CY	1,950	\$2.75	\$5,362.50	\$3.00	\$5,850.00	\$6.29	\$12,274.64
2. Onsite Scraper / Topload Cut/Fill	CY	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2. Rock Excavation (Allowance)	CY	100	\$12.00	\$1,200.00	\$50.00	\$5,000.00	\$73.65	\$7,364.78
3. Onsite Topsoil Management	CY	1,108	\$2.50	\$2,770.00	\$5.37	\$5,950.00	\$8.20	\$9,083.23
4. Rough Shaping	AC	1.52	\$4,400.00	\$6,688.00	\$11,530.00	\$17,525.00	\$4,037.71	\$6,137.32
5. Siltation/ Erosion/ Dust Control	LS	1	\$12,000.00	\$12,000.00	\$2,500.00	\$2,500.00	\$4,909.85	\$4,909.85
Subtotal Earthwork:			\$28,020.50		\$36,825.00		\$39,769.82	
Storm Drainage								
1. 12" Drainage Inlets (PermaBasins)	EA	6	\$525.00	\$3,150.00	\$540.00	\$3,240.00	\$613.73	\$3,682.39
2. 12" Nyloplast Inlet / Outlet w/ Metal Grate	EA	3	\$325.00	\$975.00	\$550.00	\$1,650.00	\$327.32	\$981.97
3. Install 8" Solid ADS Smoothwall Pipe	LF	705	\$10.00	\$7,050.00	\$15.00	\$10,575.00	\$9.75	\$6,873.80
4. Install 6" Solid ADS Smoothwall Pipe	LF	330	\$8.00	\$2,640.00	\$14.00	\$4,620.00	\$2.98	\$981.97
5. Install 4" Solid ADS Smoothwall Pipe	LF	90	\$6.00	\$540.00	\$10.00	\$900.00	\$9.82	\$883.77
Subtotal Storm Drainage:			\$14,355.00		\$20,985.00		\$13,403.90	
Greens - USGA Construction								
1. Exst. Greens - Remove top 3" sod & sand, Onsite Disposal	SF	78,810	\$0.66	\$52,014.60	\$0.30	\$23,643.00	\$0.50	\$39,278.83
2. Exst. Greens - Provide & Install 3" of Specified New Sand	SF	78,810	\$0.80	\$63,048.00	\$1.00	\$78,810.00	\$0.69	\$54,008.40
3. Exst. Greens - Rototill to 6" depth in four directions	SF	78,810	\$0.24	\$18,914.40	\$0.10	\$7,881.00	\$0.08	\$6,628.30
4. Exst. Greens - Internal Fine Grading and Tie-Ins	SF	78,810	\$0.49	\$38,616.90	\$0.30	\$23,643.00	\$0.28	\$22,094.34
5. Exst. Greens - External Surrounds Shaping	SF	13,125	\$0.26	\$3,412.50	\$0.40	\$5,250.00	\$1.03	\$13,502.10
6. Exst. Greens - Shape remaing 5' collars not in Item 5 above	SF	16,410	\$0.26	\$4,266.60	\$0.25	\$4,102.00	\$0.57	\$9,328.72
7. New Greens - Install 4" gravel blanket	SF	6,300	\$0.69	\$4,347.00	\$0.87	\$5,481.00	\$4.68	\$29,459.13
8. New Greens - Install internal subdrainage & cleanouts	LF	693	\$8.00	\$5,544.00	\$10.06	\$6,972.00	\$9.21	\$6,382.81
9. New Greens - Install perimeter moisture barrier & tracer wire	LF	415	\$1.10	\$456.50	\$3.00	\$1,245.00	\$3.55	\$1,472.96
10. New Greens - Install 12" seedbed	SF	6,300	\$3.02	\$19,026.00	\$4.50	\$54,730.00	\$6.62	\$41,733.76
11. Basamid Fumigation (all green surfaces)	SF	85,110	\$0.71	\$60,428.10	\$0.53	\$45,108.00	\$0.12	\$10,310.69
Subtotal Greens:			\$270,074.60		\$256,865.00		\$234,200.05	

			Bidders					
			Mid-America Golf & Landscape, Inc., A Missouri Corporation, dba Mid-America Sports Construction Lee's Summit, MO		Wadsworth Golf Construction Company  Plainfield, IL		Larson Golf Services, LLC  Spicewood, TX	
Description		Unit	Qty					
Grassing & Landscape Plantings								
1. Soil Prep, Fertilize and Sod 419 Bermudagrass - Existing Green adjacent areas	SF	29,535	\$0.54	\$15,948.90	\$0.50	\$14,768.00	\$0.91	\$26,758.71
2. Soil Prep, Fertilize and Sod 419 Bermudagrass - New Green adjacent areas	SF	66,150	\$0.54	\$35,721.00	\$0.60	\$39,690.00	\$0.90	\$59,654.73
3. Soil Prep, Fertilize, and Sprig Miniverde Bermudagrass - Green Surfaces	SF	85,110	\$0.80	\$68,088.00	\$0.70	\$59,577.00	\$0.75	\$63,828.10
Subtotal Grassing & Landscape:			\$119,757.90		\$114,035.00		\$150,241.54	
Total Base Bid			\$506,537.00		\$520,464.00		\$489,905.27	
Alternate #1: Exst. Greens - Install perimeter moisture barrier & tracer wire	LF	4,555	\$5.00	\$22,775.00	\$4.00	\$18,220.00	\$7.85	\$35,738.55
Alternate #2: Utilize GreenScan3D hardware and software to set new grades on Putting surfaces	LS	1	\$17,000.00	\$17,000.00	\$4,975.00	\$4,975.00	\$12,500.00	\$12,500.00
Alternate #3: Add subdrainage around green perimeters (TurfDrain w/Sand Backfill) in selected areas	LF	1,000	\$9.00	\$9,000.00	\$15.30	\$15,300.00	\$37.76	\$37,756.80
Alternate #4: Lump Sum Price for Irrigation System Installation per Bowlin Consulting Plan	LS	1	\$87,900.00	\$87,900.00	\$65,923.00	\$65,923.00	\$50,438.66	\$50,438.66
Alternate #4a: Unit Price per Sprinkler Head for Addition or Deletion purposes including necessary piping, fittings, swing joints, wiring, and all other required appurtenances	EA	1	\$525.00	\$525.00	\$562.00	\$562.00	\$950.00	\$950.00
Adjusted Base Bid A + Alt Bid No. 2			\$523,537.00		\$525,439.00		\$502,405.27	

**Recommended for Council Award**

Vendor did not meet minimum specified qualifications; bid bond did not provide for City-specified coverage

FY 2018

## 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
365-3100-551-69-84	101771	Capital - Bonds / Green Imprv-Sammons Golf	70,000	
365-3400-531-68-59	100970	Capital - Bonds / Westfield Blvd Improv		70,000
TOTAL.....			\$ 70,000	\$ 70,000

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

To appropriate additional funds for Sammons Golf Course Greens, project 101771, for the construction contract with Mid-America Golf & Landscape, Inc. in the amount of \$523,537 plus an allowance of \$26,762 in contingency. Westfield Blvd Improvements, project 100970, bids came in substantially under budget and funds are available to reallocate to the Sammons Golf Course Greens project.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

	X
--	---

Yes

11

No

DATE OF COUNCIL MEETING

4/19/2018

WITH AGENDA ITEM?

	X
--	---

Yes

--	--

No

Department Head/Division Director

Date \_\_\_\_\_

--	--

Approved


Disapproved

Finance

Date \_\_\_\_\_

--	--

Approved


Disapproved

City Manager

Date \_\_\_\_\_


Approved

--	--

Disapproved

RESOLUTION NO. 2018-9106-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH MID-AMERICA GOLF & LANDSCAPE, INC., DBA MID-AMERICA SPORTS CONSTRUCTION OF LEE'S SUMMIT, MISSOURI IN THE AMOUNT OF \$523,537, FOR THE GREENS RESURFACING PROJECT AT SAMMONS GOLF LINKS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on November 2, 2017, Council authorized a professional services agreement with Finger Dye Spann, Inc. (FDS) of Katy, Texas, for the design of a greens resurfacing project at Sammons Golf Links where the need was determined that 16 greens required resurfacing and 2 greens (holes #5 and #7) needed to be reconstructed;

**Whereas**, on April 5, 2018, three bids were received for the resurfacing/reconstructing project ranging from a low base bid of \$489,905.27 to \$520,464.00 - the bid specified that the contractor must be experienced in greens reconstruction and must have experienced staff to support the work;

**Whereas**, qualifications were reviewed for compliance with the specifications, and Staff determined that the low bidder, Larson Golf Services, LLC, did not meet the minimum qualification requirements;

**Whereas**, Staff and FDS therefore recommend Council authorize a construction contract with to the second low bidder, Mid-America Golf & Landscape, Inc., dba Mid-America Sports Construction (Mid-America), of Lee's Summit, Missouri who meets the stated qualification specifications - the recommended contract award is the amount of their base bid in the amount \$506,537, plus Add Alternate No. 2 in the amount of \$17,000, for a total contract award of \$523,537;

**Whereas**, Golf Course Staff recommends the inclusion of Add Alternate No. 2 to ensure the golf course greens are constructed in compliance with the grade requirements to minimize drainage issues in the future;

**Whereas**, funds are available for this project, but an amendment to the fiscal year 2018 budget needs to be approved to transfer the funds to Account No. 365-3100-551-6984, Project No. 101771; 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 her designee, after approval as to form by the City Attorney, to execute a construction contract with Mid-America Golf & Landscape, Inc., dba Mid-America Sports Construction of Lee's Summit, Missouri, in the amount of \$523,537 for the greens resurfacing project at Sammons Golf Links.

**Part 3:** The City Council authorizes an amendment to the fiscal year 2018 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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(H)  
Consent Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

Nicole Torralva, P.E., Director of Public Works  
Don Bond, P.E., CFM, City Engineer

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing contract amendment #1 to a professional services agreement with BSP Engineers, Inc., of Temple, in the amount of \$29,100 for engineering services required to implement a revised scope of improvements to the “Ave T & R Drainage” project.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** The 2008-2009 Drainage Master Plan identified improvements to address flooding in the vicinity of Avenues T & R at 57<sup>th</sup> Street. On May 18, 2017, Council authorized a contract with BSP to implement the project. Engineering design revealed that constructing the improvements would be cost-prohibitive to reduce the flood risk to the affected number of structures.

Staff and the Engineer worked to identify a revised project scope in the same drainage basin that would address known flooding problems. The proposed revision is to address drainage infrastructure (slightly northeast of the original project scope) that is known to be undersized per current City criteria.

The attached proposal amends the following recommended services and costs:

**Basic Services**

Design Topographic Survey	\$ 7,900
Preparation of Construction Documents	\$ 17,200
Construction Administration	\$ 2,000
Inspection Services	<u>\$ 2,000</u>

**Total** **\$ 29,100**

The Engineer’s preliminary opinion of probable construction cost is \$750,000, resulting in a total estimated project cost of about \$870,000. The current contract amount is \$135,800. Services totaling \$46,300 of the previous scope have been billed to the contract. The amendment would result in a total contract amount of \$164,900.

Time required for design and preparation of bid documents is 150 calendar days.

**FISCAL IMPACT:** Funding for contract amendment #1 with BSP Engineers, Inc. in the amount of \$29,100 for engineering services required to implement a revised scope of improvements to the Avenue T & R Drainage project #101637 is available as follows:

	<u>292-2900-534-6312</u>	<u>353-2900-534-6713</u>	<u>Total</u>
Project Budget	\$ 148,300	\$ 1,100,000	\$ 1,248,300
Encumbered/Committed to Date	(135,800)	-	(135,800)
BSP Contract Amendment #1	(12,500)	(16,600)	(29,100)
Remaining Project Funds	<u>\$ -</u>	<u>\$ 1,083,400</u>	<u>\$ 1,083,400</u>

**ATTACHMENTS:**

[Engineer's Proposal](#)  
[Project Map](#)  
[Contract Amendment Form](#)  
[Resolution](#)

## CONTRACT AMENDMENT (Professional Service Agreements)

**PROJECT:** Avenue T & R Drainage Project / Fairview & Sunset Additions Drainage  
**OWNER:** City of Temple  
**ARCHITECT/ENGINEER:** BSP Engineers, Inc.  
**AMENDMENT #:** One

Make the following additions, modifications or deletions to the work described in the Contract Documents:

Design Topography Survey for Fairview & Sunset	\$ 7,900.00
Preparation of Construction Documents for Fairview & Sunset	\$17,200.00
Construction Administration for Fairview & Sunset	\$ 2,000.00
Inspection Services for Fairview & Sunset	<u>\$ 2,000.00</u>
<b>TOTAL</b>	<b>\$29,100.00</b>

The Compensation agreed upon in this Contract Amendment is the full, complete and final payment for all costs the Architect or Engineer may incur as a result of or relating to this amendment whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Contract Amendment.

Original Contract Amount:	\$ <u>135,800.00</u>
Previous Change in Contract Amount:	\$ <u>\$0</u>
Amount This Amendment:	\$ <u>\$29,100.00</u>
Revised Contract Amount:	\$ <u>\$164,900.00</u>
Original Contract Completion Date:	
Revised Contract Completion Date:	<u>Design: Sept 16, 2018</u>

Recommended by:

\_\_\_\_\_  
Project Manager Date

Approved by City of Temple:

\_\_\_\_\_  
Brynn Myers, City Manager Date

Agreed to:

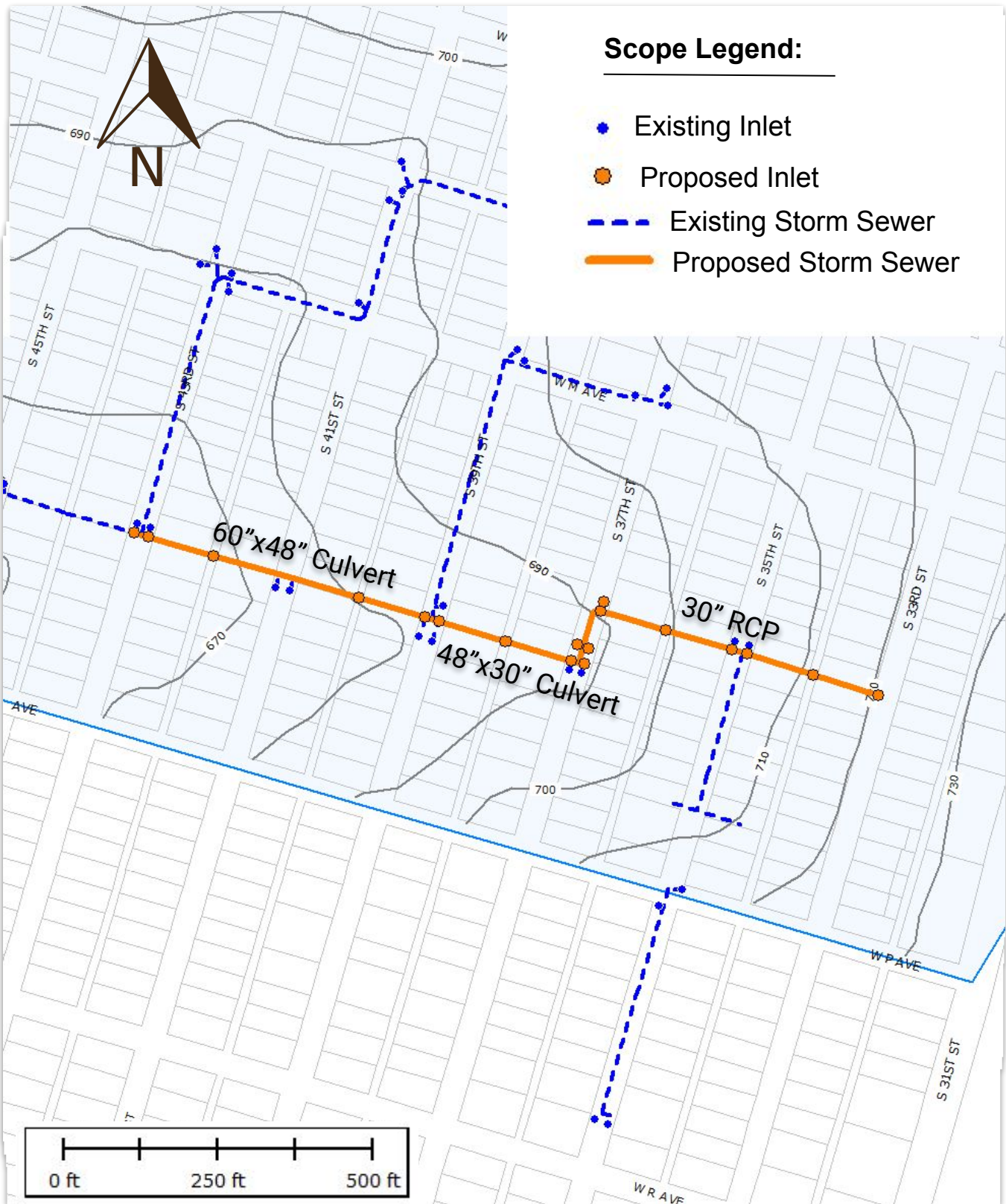
Anthony D. Buell 04-03-18  
\_\_\_\_\_  
Architect or Engineer Date

Approved as to form:

\_\_\_\_\_  
City Attorney's Office Date

Approved by Finance Department:

\_\_\_\_\_  
Date



City of Temple - 2018 Storm Drainage Improvements  
Fairview and Sunset Additions

## CONTRACT AMENDMENT (Professional Service Agreements)

**PROJECT:** Avenue T & R Drainage Project / Fairview & Sunset Additions Drainage  
**OWNER:** City of Temple  
**ARCHITECT/ENGINEER:** BSP Engineers, Inc.  
**AMENDMENT #:** One

Make the following additions, modifications or deletions to the work described in the Contract Documents:

Design Topography Survey for Fairview & Sunset	\$ 7,900.00
Preparation of Construction Documents for Fairview & Sunset	\$17,200.00
Construction Administration for Fairview & Sunset	\$ 2,000.00
Inspection Services for Fairview & Sunset	<u>\$ 2,000.00</u>
<b>TOTAL</b>	<b>\$29,100.00</b>

The Compensation agreed upon in this Contract Amendment is the full, complete and final payment for all costs the Architect or Engineer may incur as a result of or relating to this amendment whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Contract Amendment.

Original Contract Amount:	\$ <u>135,800.00</u>
Previous Change in Contract Amount:	\$ <u>\$0</u>
Amount This Amendment:	\$ <u>\$29,100.00</u>
Revised Contract Amount:	\$ <u>\$164,900.00</u>
Original Contract Completion Date:	
Revised Contract Completion Date:	<u>Design: Sept 16, 2018</u>

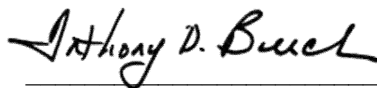
Recommended by:

\_\_\_\_\_  
Project Manager Date

Approved by City of Temple:

\_\_\_\_\_  
Brynn Myers, City Manager Date

Agreed to:

 04-03-18  
\_\_\_\_\_  
Architect or Engineer Date

Approved as to form:

\_\_\_\_\_  
City Attorney's Office Date

Approved by Finance Department:

\_\_\_\_\_  
Date

RESOLUTION NO. 2018-9107-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CONTRACT AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BSP ENGINEERS, INC. OF TEMPLE, TEXAS, IN THE AMOUNT OF \$29,100, FOR ENGINEERING SERVICES REQUIRED TO IMPLEMENT A REVISED SCOPE OF IMPROVEMENTS TO THE AVENUE T AND AVENUE R DRAINAGE PROJECTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the 2008-2009 Drainage Master Plan identified improvements to address flooding in the vicinity of Avenues T and R at 57<sup>th</sup> Street – on May 18, 2017, Council authorized a contract with BSP Engineers, Inc. of Temple, to implement the project;

**Whereas**, the engineering design revealed that constructing the improvements would be cost-prohibitive to reduce the flood risk to the affected number of structures and therefore Staff and BSP worked together to identify a revised project scope in the same drainage basin that would address known flooding problems;

**Whereas**, the proposed revision is to address drainage infrastructure (slightly northeast of the original project scope) that is known to be undersized per current City criteria;

**Whereas**, Staff recommends Council authorize Contract Amendment No. 1 to the professional services agreement with BSP Engineers, Inc. in the amount of \$29,100, for engineering services required to implement a revised scope of improvements to the Avenue T & avenue R Drainage projects;

**Whereas**, funding for Contract Amendment No. 1 is available in Account No. 292-2900-534-6312, and Account No. 353-2900-534-6713, Project No. 101637; 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 her designee, after approval as to form by the City Attorney, to execute Contract Amendment No. 1 to the professional services agreement with BSP Engineers, Inc. in the amount of \$29,100, for engineering services required to implement a revised scope of improvements to the Avenue T & Avenue R Drainage projects.

**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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(I)  
Consent Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

Brynn Myers, City Manager  
Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution ratifying an Exclusive Listing Agreement with Airspace DFW, LLC for the lease of Hangars 20 and 26 at the Draughton Miller Central Texas Regional Airport.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** Staff has engaged the services of Airspace DFW, LLC ("Airspace") to assist with the listing and leasing of two hangars at the Draughton Miller Central Texas Regional Airport. The two hangars are designated as Hangar 20 and Hangar 26. The two hangars previously housed AMCOM and its operations for several years.

Airspace is a real estate company which specializes in the sale and lease of airport hangars. Airspace will market the hangars for lease and assist with negotiating a lease agreement with any prospective tenant. The Listing Agreement will expire on July 2, 2018. Airspace will list the hangars for lease at \$5.25 per square foot, per year.

**FISCAL IMPACT:** Pursuant to the terms of the Listing Agreement, Airspace will be entitled to a payment equal to 4% of the aggregate rental provided in any executed lease. If the hangars are leased to a tenant who is procured by a cooperating broker, then the fee will increase to 6% of the aggregate rental provided.

**ATTACHMENTS:**

[Resolution](#)



RESOLUTION NO. 2018-9108-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN EXCLUSIVE LISTING AGREEMENT WITH AIRSPACE DFW, LLC FOR THE LEASE OF HANGARS 20 AND 26 AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, Staff has engaged the services of Airspace DFW, LLC (“Airspace”) to assist with the listing and leasing of two hangars at the Draughon-Miller Central Texas Regional Airport;

**Whereas**, the two hangars are designated as Hangar 20 and Hangar 26 and previously housed AMCOM and its operations for several years;

**Whereas**, Airspace is a real estate company which specializes in the sale and lease of airport hangars and who will market the hangars for lease and assist with negotiating a lease agreement with any prospective tenant;

**Whereas**, the Listing Agreement will expire on July 2, 2018 and Airspace will list the hangars for lease at \$5.25 per square foot, per year;

**Whereas**, pursuant to the terms of the Listing Agreement, Airspace will be entitled to a payment equal to 4% of the aggregate rental provided in any executed lease - if the hangars are leased to a tenant who is procured by a cooperating broker, then the fee will increase to 6% of the aggregate rental provided; 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 ratifies an Exclusive Listing Agreement with Airspace DFW, LLC for the lease of Hangars 20 and 26 at the Draughon-Miller Central Texas Regional Airport.

**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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(J)  
Consent Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

Brynn Myers, City Manager  
Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** **ITEM DESCRIPTION:** Consider adopting a resolution authorizing a Developer Participation Agreement with WBW Land Investment, L.P. in the not to exceed amount of \$150,000 to construct a portion of South Pea Ridge Road and authorizing the conveyance of 11.80 acres of City-owned land to WBW Land Investment, L.P. and the acceptance of 27.63 acres of land from WBW Land Investment, L.P.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** WBW Land Investment, L.P. ("WBW") is in the process of rezoning and platting approximately 81 acres located along South Pea Ridge Road in west Temple. WBW is seeking Council approval of a Planned Development which would rezone the property to Single Family 2 with several conditions.

Development of the proposed subdivision would provide an opportunity to realign South Pea Ridge Road where it currently includes two 90 degree turns. Realigning the road through WBW's property would straighten out the two curves.

WBW approached City Staff about the proposed Developer Participation Agreement which would obligate WBW to construct this new portion of South Pea Ridge Road to the City's collector standards. The City would be obligated to pay for the oversizing costs to construct the road to collector standards. WBW will dedicate all right-of-way needed for the realigned road, as well as the future expansion of South Pea Ridge road running along the east side of WBW's property.

The estimated cost to construct this portion of South Pea Ridge Road, which is approximately 834 feet, to collector standards is \$180,000. The portion of this cost attributable to oversizing the road is approximately \$70,000. In addition, WBW will construct 6-foot sidewalks on both sides of the street at an estimated cost of \$65,000. In the proposed agreement, the City would be responsible for reimbursing WBW for 100% of the cost of oversizing the street and 100% of the cost of constructing the sidewalks.

The City would participate in the road and sidewalk improvements at a not to exceed amount of \$150,000. The City's participation is authorized under Texas Local Government Code, Chapter 212, Subchapter C titled "Developer Participation in Contract for Public Improvements." In accordance with Chapter 212, the City's participation would not exceed 30% of the total cost of public improvements in the proposed development.

The proposed agreement also includes a land swap between the City and WBW. WBW's property is located adjacent to City property. The City is interested in acquiring a portion of WBW's property to connect this property to the City's existing trail system and existing park facilities to the north. Pursuant to the agreement, the City would convey to Developer an 11.80 acre tract of land. Developer would convey to the City a 27.63 acre tract of land. The proposed conveyance of City property is authorized by Texas Local Government Code, Chapter 272, Section 272.001(b).

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval to appropriate funding for the Developer Participation Agreement with WBW Land Investment, LP, to reimburse 100% of the cost of oversizing the street and 100% of the cost of constructing the sidewalks for South Pea Ridge Road. Funding in an amount not to exceed \$150,000 will be available for in account 365-3400-531-6860, project #101214 as follows:

Project Budget	\$	-
Budget Adjustment		150,000
Encumbered/Committed to Date		-
WBW Land Investment LP - Developer Participation Agreement		(150,000)
Remaining Project Funds Available	\$	-

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

FY 2018

## 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
365-3400-531-68-60	101214	Capital - Bonds / S. Pea Ridge Rd Imprv	150,000	
365-3400-531-65-32		Contingency Fund Balance		150,000
TOTAL.....			\$ 150,000	\$ 150,000

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

To appropriate funding for the Developer Participation Agreement with WBW Land Investment LP, project 101214, to reimburse 100% of the cost of oversizing the street and 100% of the cost of constructing the sidewalks for South Pea Ridge Road in a not to exceed amount of \$150,000.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

	X
--	---

Yes

10

No

DATE OF COUNCIL MEETING

4/19/2018

WITH AGENDA ITEM?

	X
--	---

Yes

11

No

Department Head/Division Director

Date \_\_\_\_\_

☐ Approved

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

Finance

Date \_\_\_\_\_

☐ Approved

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

City Manager

Date \_\_\_\_\_

☐ Approved

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

RESOLUTION NO. 2018-9109-R

---

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPER PARTICIPATION AGREEMENT, WITH WBW LAND INVESTMENT, L.P. TO CONSTRUCT A PORTION OF SOUTH PEA RIDGE ROAD; AUTHORIZING CONVEYANCE OF APPROXIMATELY 11.80 ACRES OF CITY-OWNED LAND TO WBW LAND INVESTMENT, L.P.; AUTHORIZING THE ACCEPTANCE OF APPROXIMATELY 27.63 ACRES OF LAND FROM WBW LAND INVESTMENT, L.P.; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, WBW Land Investment, L.P. (“WBW”) is in the process of rezoning and platting approximately 81 acres located along South Pea Ridge Road in west Temple and WBW is seeking Council approval of a Planned Development which will rezone the property to Single Family 2 with several conditions;

**Whereas**, development of the proposed subdivision will provide an opportunity to realign South Pea Ridge Road where it currently includes two 90 degree turns – realigning the road through WBW’s property will straighten out the two curves;

**Whereas**, WBW approached City Staff about the proposed Developer Participation Agreement which will obligate WBW to construct this new portion of South Pea Ridge Road to the City’s collector standards which will then obligate the City to pay for the oversizing costs to construct the road to collector standards;

**Whereas**, WBW agrees to dedicate all right-of-way needed for the realigned road, as well as for the future expansion of South Pea Ridge Road running along the east side of WBW’s property;

**Whereas**, the estimated cost to construct this portion of South Pea Ridge Road, which is approximately 834 feet, to collector standards is \$180,000 - the portion of this cost attributable to oversizing the road is approximately \$70,000;

**Whereas**, in addition, WBW will construct 6-foot sidewalks on both sides of the street at an estimated cost of \$65,000;

**Whereas**, in the agreement, the City will be responsible for reimbursing WBW for 100% of the cost of oversizing the street and 100% of the cost of constructing the sidewalks;

**Whereas**, the City will participate in the road and sidewalk improvements at a not to exceed amount of \$150,000 - the City’s participation is authorized under Texas Local Government Code, Chapter 212, Subchapter C titled “Developer Participation in Contract for Public Improvements,” and, in accordance with Chapter 212, the City’s participation will not exceed 30% of the total cost of public improvements in the proposed development;

**Whereas,** the agreement includes a land swap between the City and WBW - WBW's property is located adjacent to City property and the City is interested in acquiring a portion of WBW's property to connect this property to the City's existing trail system and existing park facilities to the north;

**Whereas,** pursuant to the agreement, the City will convey to Developer an approximately 11.80-acre tract of City-owned land and Developer will convey to the City, an approximately 27.63-acre tract of land – the conveyance of City property is authorized by Texas Local Government Code, Chapter 272, Section 272.001(b);

**Whereas,** funds are available for this project, to reimburse 100% of the cost of oversizing the street and 100% of the cost of constructing the sidewalks for South Pea Ridge Road, but an amendment to the fiscal year 2018 budget needs to be approved to transfer the funds to Account No. 365-3400-531-6860, Project No. 101214.; 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 her designee, after approval as to form by the City Attorney, to execute a Developer Participation Agreement with WBW Land Investment, L.P. to construct a portion of South Pea Ridge Road, authorizes the conveyance of approximately 11.80 acres of City-owned land to WBW Land Investment, L.P., and accepts approximately 27.63 acres of land from WBW Land Investment, L.P.

**Part 3:** The City Council authorizes an amendment to the fiscal year 2018 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 **19<sup>th</sup>** day of **April**, 2018.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
Kayla Landeros  
City Attorney

ATTEST:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary



## COUNCIL AGENDA ITEM MEMORANDUM

---

04/19/18  
Item #3(K)  
Consent Agenda  
Page 1 of 2

### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Stacey Hawkins, Interim Director of Human Resources

**ITEM DESCRIPTION: ITEM DESCRIPTION:** Consider adopting a resolution ratifying a professional services agreement with Bannon & Associates, LLC, of Austin in the estimated amount of \$25,600 for civil service testing and assessment services.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** A professional services agreement was administratively executed by the City Manager with Bannon & Associates in February 2018. The initial assessment of the services needed indicated the fees associated with these services to be less than \$25,000. Based on further evaluation, it is anticipated that the fees will be greater than \$25,000. Accordingly, Staff is requesting that Council ratify this professional services agreement.

This services being provided by Bannon & Associates include the following:

1. Develop and conduct three Assessment Center evaluations for alternate promotional testing for the Temple Police Department's corporal, sergeant, and lieutenant ranks;
2. Develop Assessment Center content and format consistent with the International Congress on Assessment Center Methods, candidate and assessor manuals, and final Assessment Center reports; and
3. Provide trained, qualified assessors in sufficient numbers to efficiently administer the Assessment Centers.

The services being provided by Bannon & Associates were determined by the City Attorney to be professional in nature, and as such, exempt from competitive bidding rules.



**FISCAL IMPACT:** Bannon & Associates estimates the total cost of the three Assessment Centers to be \$25,600:

	Basic Cost	1st Extra Day	2nd Extra Day	3rd Extra Day	4th Extra Day	Orientation	Totals
Corporal	\$ 3,200	\$ 1,000	\$ 500	\$ 500	\$ 500	\$ -	\$ 5,700
Sergeant	3,200	1,000	500	-	-	-	4,700
Lieutenant	3,200	1,000	-	-	-	500	4,700
							<u>\$ 15,100</u>
						Assessor Lodging (\$93 per night plus tax)	8,100
						Assessor Meals	<u>2,400</u>
						<b>Total Costs</b>	<b><u>\$ 25,600</u></b>

Funding for the Assessment Centers in the amount of \$25,600 is available as follows:

Account	Description	Amount Available
110-2011-521-2616	Contracted Services / Professional	\$ 10,000
110-2700-515-2519	Other Services / Civil Service	<u>15,600</u>
	<b>Total Funding Available</b>	<b><u>\$ 25,600</u></b>

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2018-9110-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING A PROFESSIONAL SERVICES AGREEMENT WITH BANNON & ASSOCIATES, LLC OF AUSTIN, TEXAS IN THE ESTIMATED AMOUNT OF \$25,600, FOR CIVIL SERVICE TESTING AND ASSESSMENT SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, a professional services agreement with Bannon & Associates, LLC of Austin, Texas was administratively executed by the City Manager in February 2018 initially indicating the fees associated with these services to be less than \$25,000;

**Whereas**, however, based on further evaluation, Staff anticipates the fees to be greater than \$25,000 and therefore Staff recommends Council ratify a professional services agreement with Bannon & Associates, LLC, in the estimated amount of \$25,600;

**Whereas**, the services being provided by Bannon & Associates include the following:

1. Develop and conduct three Assessment Center evaluations for alternate promotional testing for the Temple Police Department's corporal, sergeant, and lieutenant ranks;
2. Develop Assessment Center content and format consistent with the International Congress on Assessment Center Methods, candidate and assessor manuals, and final Assessment Center reports; and
3. Provide trained, qualified assessors in sufficient numbers to efficiently administer the Assessment Centers;

**Whereas**, the services being provided by Bannon & Associates were determined by the City Attorney to be professional in nature, and as such, exempt from competitive bidding rules;

**Whereas**, funds are available for this agreement in Account Nos. 110-2011-521-2616 and Account No. 110-2700-515-2519; 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 her designee, after approval as to form by the City Attorney, to execute a professional services agreement with Bannon & Associates, LLC, of Austin, Texas in the estimated amount of \$25,600, for civil service testing and assessment services.

**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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(L)  
Consent Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

Nicole Torralva P.E., Public Works Director  
Kenny Henderson, Director of Transportation

**ITEM DESCRIPTION:** SECOND READING: Consider adopting an ordinance establishing a speed limit of 45 miles per hour from the 5100 block of South 5<sup>th</sup> Street to the 6400 of South 5<sup>th</sup> Street.

**STAFF RECOMMENDATION:** Adopt ordinance as presented in item description on second and final reading.

**ITEM SUMMARY:** In the past decade the residential community has grown along South 5<sup>th</sup> Street between Waters Dairy and Farm to Market Road 93. With approximately 1,100 homes plus homes still to come, this has greatly increased the traffic along South 5<sup>th</sup> Street and the number of connecting intersections. Staff is recommending a speed limit reduction from 50 miles per hour to 45 miles per hour along South 5<sup>th</sup> Street from the 5100 block to the 6400 block. The Transportation Division conducted a speed study in the area mentioned and found the 85-percentile speed to be 53 miles per hour.

**FISCAL IMPACT:** None


**ATTACHMENTS:**

[Map](#)  
[Ordinance](#)



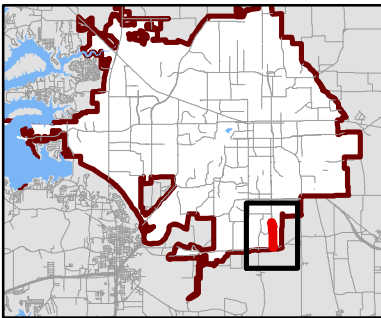
GIS products are for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

### Legend

 Proposed 45 MPH



### Speed Reduction Location



# South 5th Street Speed Reduction Request



3/26/2018

ORDINANCE NO. 2018-4904

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING THE PRIMA FACIE SPEED LIMIT FROM THE 5100 BLOCK OF SOUTH 5<sup>TH</sup> STREET TO THE 6400 BLOCK OF SOUTH 5<sup>TH</sup> STREET, WITHIN TEMPLE CITY LIMITS; PROVIDING A REPEALER; PROVIDING FOR A PENALTY FOR VIOLATIONS NOT TO EXCEED \$500 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, in the past decade, the residential community has grown along South 5<sup>th</sup> Street between Waters Dairy and Farm to Market Road 93 with approximately 1,100 homes plus homes still to come;

**Whereas**, this growth has greatly increased the traffic along South 5<sup>th</sup> Street and the number of connecting intersections;

**Whereas**, Staff believes that it is necessary to reduce the speed limit in this area from 50 miles per hour to 45 miles per hour in the following area:

- from the 5100 block of South 5<sup>th</sup> Street to the 6400 block of South 5<sup>th</sup> Street;

**Whereas**, the Transportation Division conducted a speed study in this area and found the 85-percentile speed to be 53 miles per hour;

**Whereas**, Staff recommends Council reduce the speed limit from the 5100 block of South 5<sup>th</sup> street to the 6400 block of South 5<sup>th</sup> Street from 50 miles per hour to 45 miles per hour; and

**Whereas**, the City Council has considered the matter and deems it in the public interest to approve this prima facie speed limit for the benefit of the citizens for the promotion of the public health, welfare, and safety.

**NOW, THEREFORE, BE IT ORDAINED 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 Ordinance as if copied in their entirety.

**Part 2:** The City Council finds that the reasonable and prudent prima facie maximum speed limit for vehicular traffic from the 5100 block of South 5<sup>th</sup> Street to the 6400 block of South 5<sup>th</sup> Street, is 45 mph.

**Part 3:** It shall be unlawful for any person to drive or operate a motor vehicle, bicycle, or other vehicle of any kind, whether or not motor powered, on that portion of the roadways described above under the conditions described herein, at a speed greater than is reasonable and



prudent under the circumstances then existing, but any speed in excess of the reasonable and prudent prima facie maximum speed limits as set forth in Part 2 hereof shall be prima facie evidence that such speed is not reasonable or prudent and that it is unlawful.

**Part 4:** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**Part 5:** A person who violates a provision of this Ordinance is guilty of a separate offense for each day or portion of a day which the offense is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$500.

**Part 6:** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Part 7:** 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 8:** 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 on the 5<sup>th</sup> day of **April**, 2018.

PASSED AND APPROVED on Second Reading on the 19<sup>th</sup> day of **April**, 2018.

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

---

04/19/18  
Item #3(M)  
Consent Agenda  
Page 1 of 4

### **DEPT. / DIVISION SUBMISSION & REVIEW:**

Lynn Barrett, Assistant Planning Director

**ITEM DESCRIPTION:** SECOND READING – Z-FY-18-13: Consider adopting an ordinance authorizing a rezoning from General Retail to Planned Development Multi-Family Three with a site development plan on 4.203 +/- acres for a five-story apartment building situated on Lot 5, Block 1, Temple Mall Addition Replat No. 1, addressed as 1210 Azalea Drive.

**STAFF RECOMMENDATION:** Staff recommends approval of Z-FY-18-13 rezoning the subject property from GR to PD-MF-3 for a five-story, 140 unit apartment building with the following conditions:

### **PD Conditions:**

1. Substantial compliance with the attached development/site plan including Azalea sidewalk
2. Provide a landscaped area exceeding 20% (approximately 37,000 square feet) with 79 trees and 316 bushes; 50% to be from medium/large list (exceeds requirements of 5% landscaping)
3. A 10 foot landscaped buffer yard along the frontage with Azalea
4. Building elevations would substantially comply with submitted plans
5. Changes to the development site plan related to drainage considerations for site approval at the building permit stage would not be considered a substantial change

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their March 5th, 2018 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the rezoning and development site plan to PD MF-3 per staff's recommendation.

**ITEM SUMMARY:** Ace Reneau, on behalf of the owner Temple Mall LLC, requests a rezoning from General Retail on a portion of the undeveloped back portion of the Temple Mall property that was recently re-platted creating the subject lot. Through a PD MF-3, the applicant is proposing an apartment building of five stories with pool and resident plaza, with surrounding parking on three sides. Due to its shape, the property presents challenges relating to buffering the parking area, which are offset by the additional landscaping offered. There will be a mix of one and two bedroom units for a total of 140 included in the project. Amenities include a swimming pool and resident plaza. Full water, sewer and drainage plans would be reviewed by staff at the building permit stage. Due to changes in development patterns away from huge retail shopping malls, staff believes this an appropriate use for the property.



Four egress points would be provided: two onto Azalea Drive and two into the adjacent mall property having additional outlets onto the Loop, 31<sup>st</sup> Street and Lowes Drive. Additional traffic analysis shows the peak hour trip figures for an apartment building and a shopping center, with a shopping center generating considerably more traffic. For example, per the included International Transportation

Engineer trip generation rates for the 140 units, peak hour trips would be calculated at 81, which is the equivalent number of trips to a 16,000 square foot shopping center. The development has two access points to Azalea Drive and two internal access points to the Temple Mall property which lead to Lowes Drive and to the Loop. Access concerns could be addressed in the future with a potential driveway connection to an unimproved adjacent Right of Way that intersects Lowes Drive.

The applicant, Mr. Reneau, and owner, Temple Mall LLC, represented by Hal Thorne and Kirk Wilson, met with planning and legal staff and the City Manager on March 21<sup>st</sup> to discuss a realignment proposal for the western side of Azalea Drive, which is currently privately owned. The attendees gave a verbal commitment to dedicating Right-of-Way to the city to reconfigure Azalea Drive from 31<sup>st</sup> Street extending to the current city ROW. A depiction of the proposal is included with the report attachments.

Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding.

On January 19, 2018, the DRC met to discuss the proposal.

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

Direction	FLUP	Zoning	Current Land Use
Subject Property	Auto Urban Commercial	GR	Undeveloped
North	Auto Urban Commercial	PD C and PD GR	Undeveloped and Mall
South	Auto Urban Commercial;	GR	Undeveloped
East	Auto Urban Commercial	PD C	Undeveloped
West	Auto Urban Commercial	GR	Retail/Mall

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

Document	Policy, Goal, Objective or Map	Compliant?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Partial
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

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

Auto Urban Commercial is the dominant future land use for this area. The *Choices '08* City of Temple Comprehensive Plan states that the Auto Urban Commercial character district is suited for commercial development with larger sites predominating. The PD provides an alternative use for an aging undeveloped corner of existing developed commercial property and would reflect the general movement away from large, concentrated mall shopping centers.

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

The applicant proposes to construct a sidewalk along Azalea. It is not near the trails master plan area.

#### Availability of Public Facilities (CP Goal 4.1)

Water and sewer are available through several potential connections. Details of public facilities and extensions will be addressed during the permitting process.

#### UDC, Section 3.4 Planned Development

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.”

**DEVELOPMENT REGULATIONS:** The development site plan will provide the development and dimensional standards for this development.

**PUBLIC NOTICE:** Six notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Wednesday March 21, 2018, one notice has been returned in favor of the proposed rezoning (property owners) Additionally **Temple ISD has returned a notice in favor of this development;** and zero notices have been returned in opposition to the proposed rezoning. The newspaper printed the notice of the public hearing on February 8, 2017, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Aerial Map  
Location Map  
Site Plans  
Azalea Drive reconfiguration  
Plat  
Zoning Map  
Future Land Use Map  
Traffic Work sheet  
Returned Notices  
Ordinance





GR TO PD MF-3

## AERIAL MAP

Zoning Case :  
Z-FY-18-13

Address :  
1210 Azalea Dr



 Temple Municipal Boundary

### Parcel Features

 Parcels

 Production.SDE.Easement

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

Irbarrett  
Date: 2/6/2018



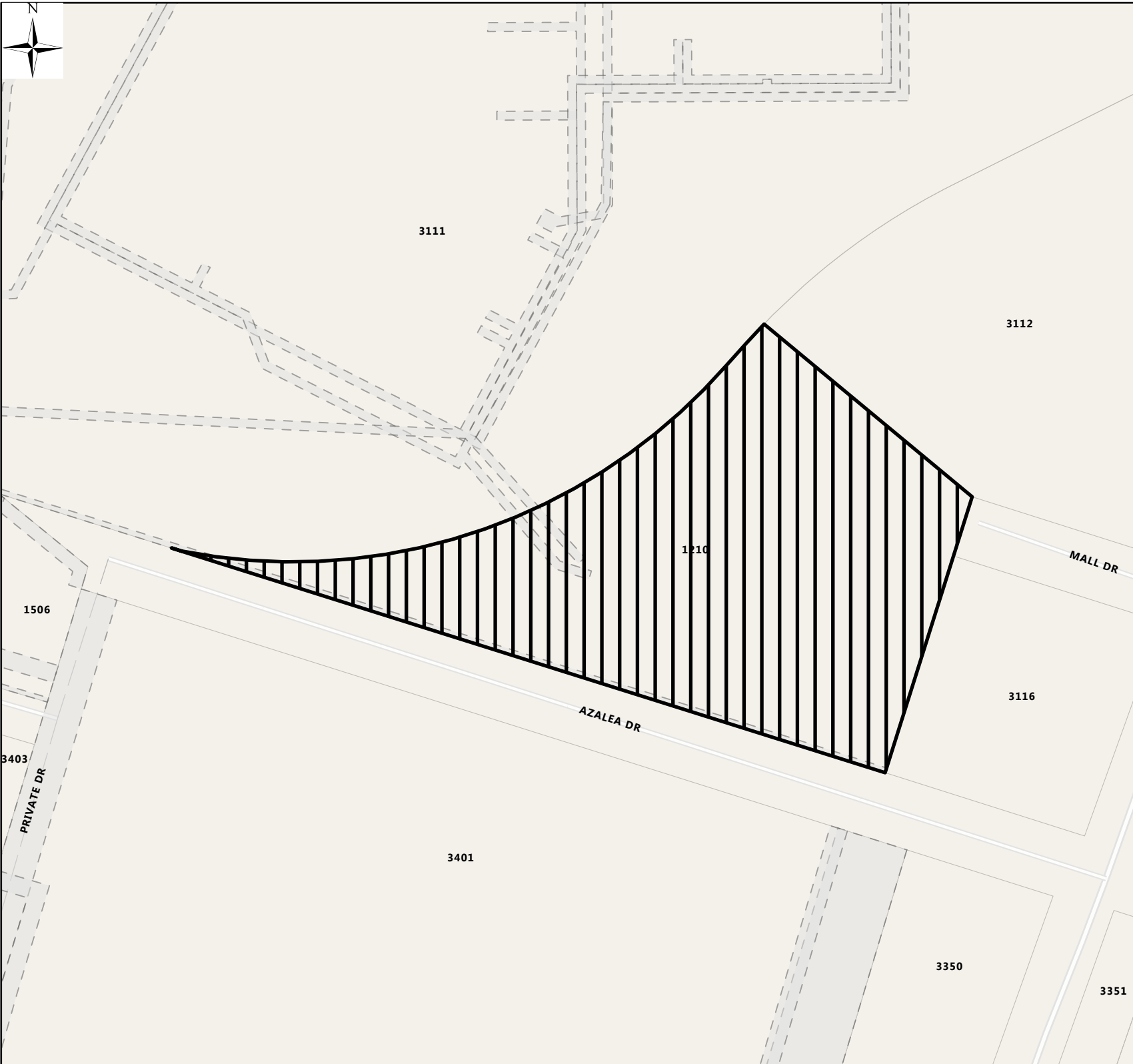



GR TO PD MF-3

## AERIAL MAP

Zoning Case :  
Z-FY-18-13

Address :  
1210 Azalea Dr



 Temple Municipal Boundary

### Parcel Features

 Parcels

 Production.SDE.Easement

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

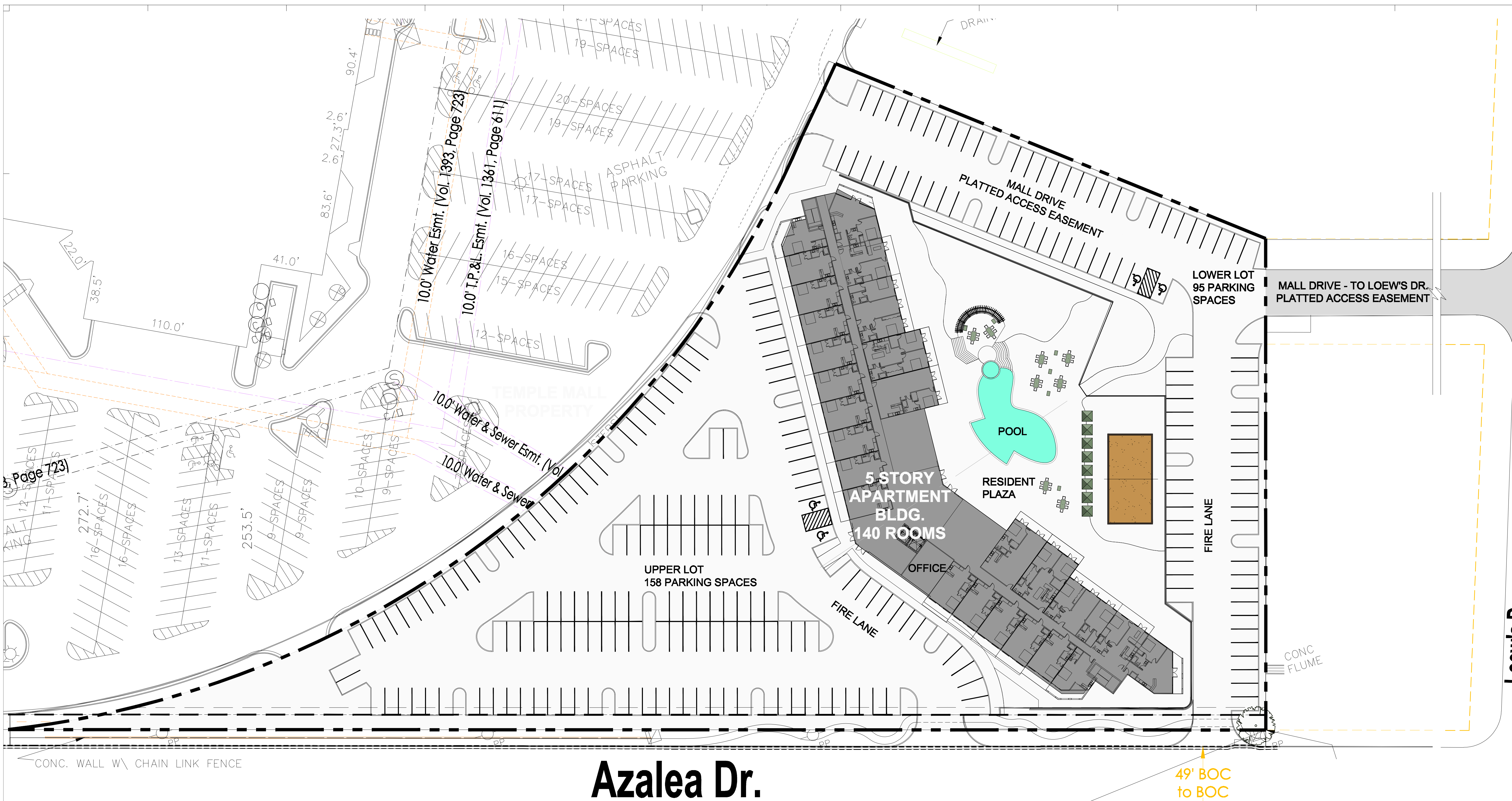
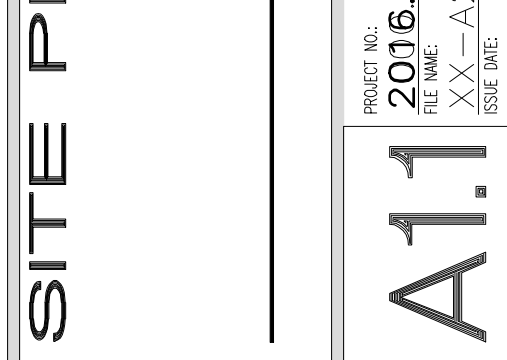
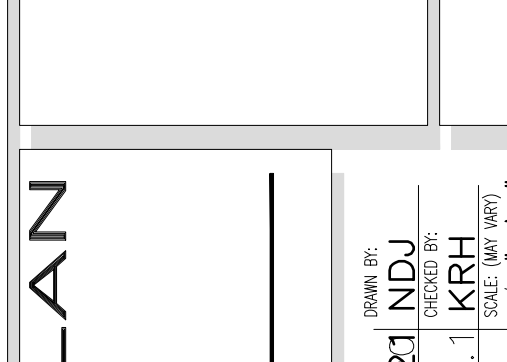
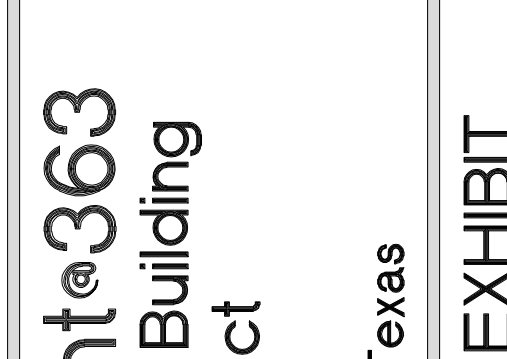
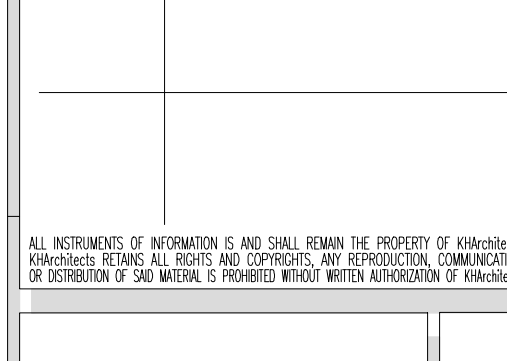
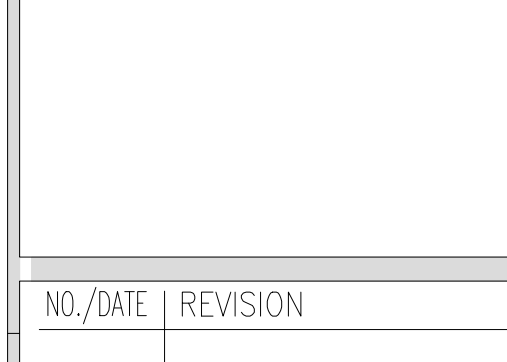
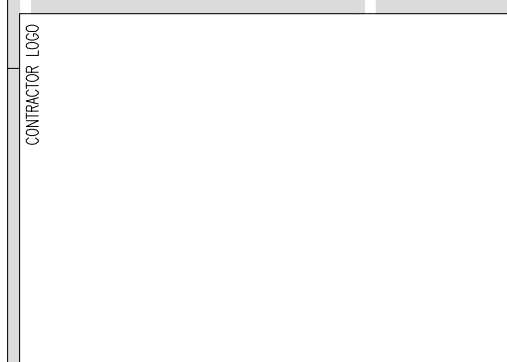
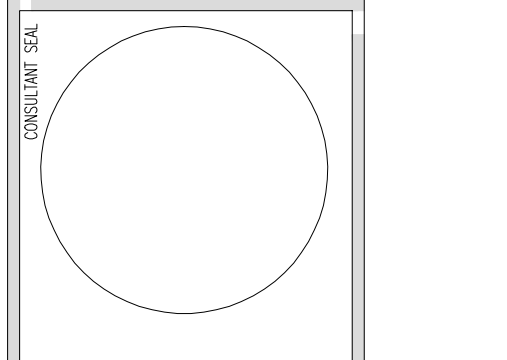
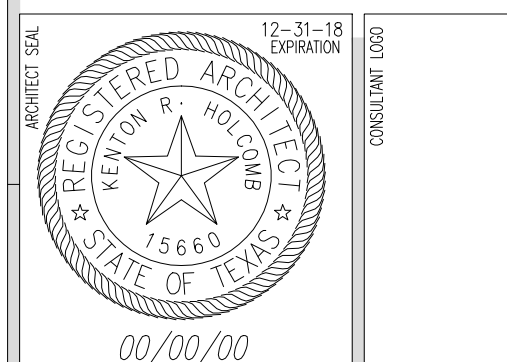
Irbarrett  
Date: 2/6/2018







301 Flat Rock Rd.  
Azle, TX 76020  
817-905-6991

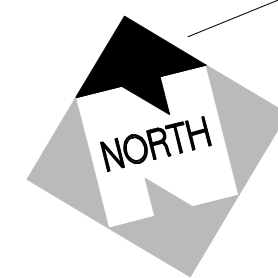


CONC. WALL W/ CHAIN LINK FENCE

Azalea Dr.

Loew's Dr.

01 FLOOR PLAN - L1  
A2.1 1/16"=1'-0"



PARKING REQUIREMENTS:	
1 BEDROOM	= 112 x 1.75 = 196
2 BEDROOM	= 28 x 2.0 = 56
252 SPACES REQ'D.	= 252 PROV.

FOOTPRINT AREAS:	
APARTMENTS	= 25,690 SF
5 FLOORS	= 132,475 SF
140 UNITS	

SITE PLAN

The Point@363  
Apartment Building  
Project

Temple, Texas

REZONING EXHIBIT

PROJECT NO. 2016.21  
DATE 11/16/21  
BY KHA  
CHECKED BY KHA  
SCALE 1/32"=1'-0"  
1-4-18

A1.1  
ORDER

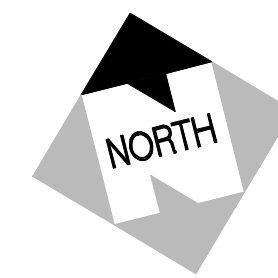




79 TREES, MIN. PER CITY STANDARDS

316 PLUS BUSHES PER CITY STANDARDS

01 LANDSCAPE PLAN  
A2.1 1/32"=1'-0"



10' LANDSCAPE BUFFER YARD

CONC. SIDEWALK PER CITY STANDARDS

### LANDSCAPE REQUIREMENTS:

LOT S.F. = 183,175 S.F. \* (20%) = 36,635 S.F.

36,635 S.F. / 500 S.F. = 74 TREES

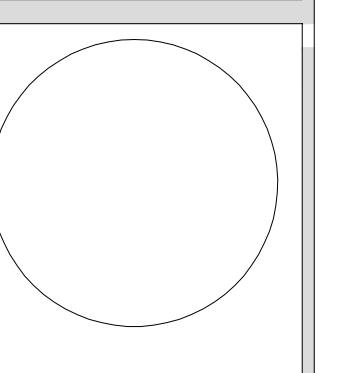
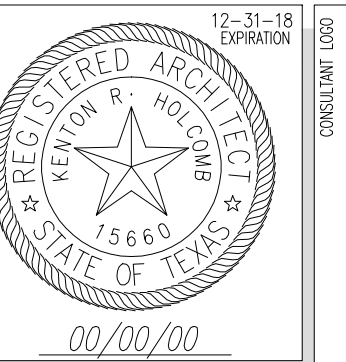
4 BUSHES / 1 TREE = 296 BUSHES

### LANDSCAPE PROVIDED:

37,000 S.F. WITH 79 TREES AND 316 BUSHES  
PER REQUIREMENT; 50% TREES TO BE FROM  
MED./LG. LIST; 50% EVERGREEN AS SHOWN



301 Flat Rock Rd.  
Azle, TX 76020  
817-905-6991



NO./DATE REVISION


ALL INFORMATION OF INFORMATION IS AND SHALL REMAIN THE PROPERTY OF KH ARCHITECTS. NO PART OF THIS DOCUMENT, IN WHOLE OR IN PART, MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KH ARCHITECTS.

The Point@363  
Apartment Building  
Project

Temple, Texas

REZONING EXHIBIT

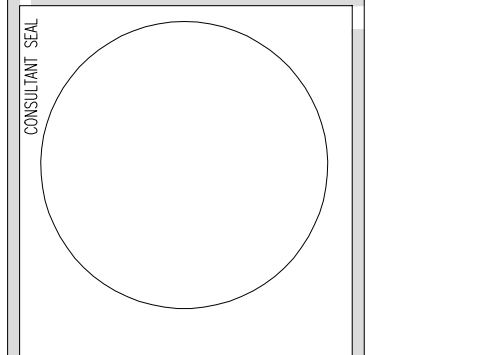
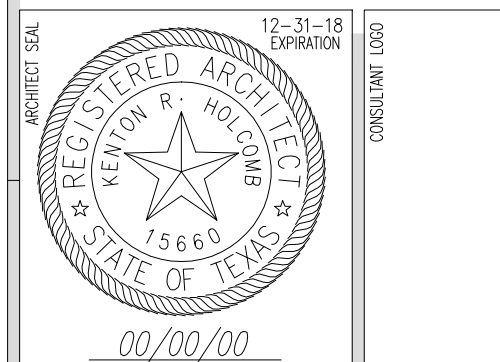
PRELIMINARY  
LANDSCAPE PLAN

PROJECT NO. 2016.21  
DATE 12/21/16  
BY KH  
CHECKED BY KH  
SCALE 1/32"=1'-0"  
1-4-18  
LS1  
ORDER





301 Flat Rock Rd.  
Azle, TX 76020  
817-905-6991



CONTRACTOR SEAL

NO./DATE REVISION

ALL INFORMATION OF INFORMATION IS AND SHALL REMAIN THE PROPERTY OF KHA ARCHITECTS. KHA ARCHITECTS RETAINS ALL RIGHTS AND COPYRIGHTS. ANY REPRODUCTION, COMMUNICATION, OR DISTRIBUTION OF THIS MATERIAL IS PROHIBITED WITHOUT WRITTEN AUTHORIZATION OF KHA ARCHITECTS.

**The Point@363**  
Apartment Building  
Project  
Tempe, Texas  
REZONING EXHIBIT

EXTERIOR  
ELEVATIONS  
2016.21 NDJ  
XX-A2.1 KRH  
1-4-18  
A3.1  
ORDER



REAR VIEW FROM MALL

01 WEST ELEVATION  
A3.1 N.T.S.

FINISH FLOOR  
148'-0 3/4"  
FINISH FLOOR  
136'-4 1/2"  
FINISH FLOOR  
124'-8 1/4"  
FINISH FLOOR  
113'-0"  
FINISH FLOOR  
100'-0"



FRONT VIEW FROM PUBLIC PLAZA

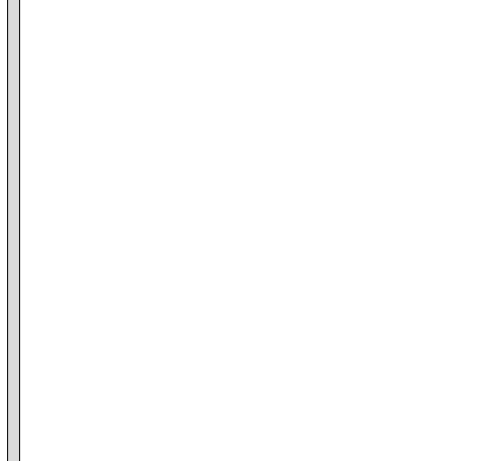
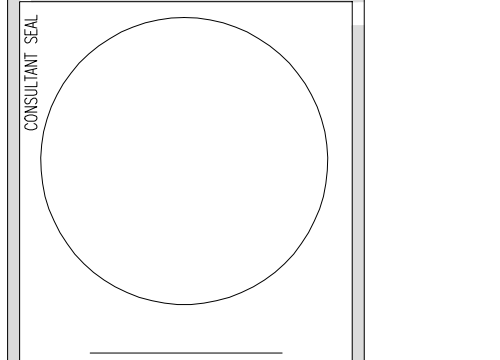
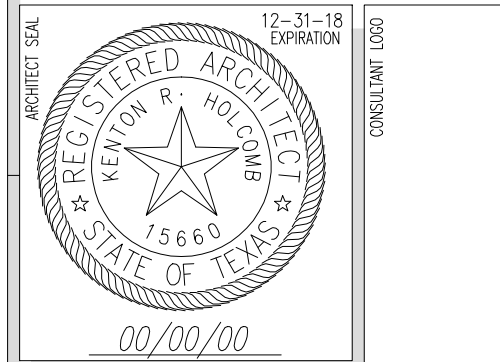
01 EAST ELEVATION  
A3.1 N.T.S.

FINISH FLOOR  
148'-0 3/4"  
FINISH FLOOR  
136'-4 1/2"  
FINISH FLOOR  
124'-8 1/4"  
FINISH FLOOR  
113'-0"  
FINISH FLOOR  
100'-0"





301 Flat Rock Rd.  
Azle, TX 76020  
817-905-6991



NO./DATE	REVISION

ALL INFORMATION OF INFORMATION IS AND SHALL REMAIN THE PROPERTY OF KHA ARCHITECTS. KHA ARCHITECTS RETAINS ALL RIGHTS AND COPYRIGHTS. ANY REPRODUCTION, COMMUNICATION, OR DISTRIBUTION OF THIS MATERIAL IS PROHIBITED WITHOUT WRITTEN AUTHORIZATION OF KHA ARCHITECTS.

The Point@363  
Apartment Building  
Project

Temple, Texas

REZONING EXHIBIT

EXTERIOR  
ELEVATIONS

PROJECT NO.  
2016-21

DATE  
NDJ

FILE NAME  
XX-A2.1

DATE  
NDJ

SCALE  
1/4"=1'-0"

A3.2

ORDER



VIEW FROM MALL

02 NORTH ELEVATION

A3.2 N.T.S.



VIEW FROM AZALEA DR.

01 SOUTH ELEVATION

A3.2 N.T.S.





















0 50 100  
HORIZONTAL SCALE IN FEET

Azalea Drive

CITY R.O.W. (As per Bell CAD 2018)

Diary Queen

Temple Mall

PROPOSED  
50' WIDE  
ROAD

El Chicos

WAL-MART DR

McDonalds

FOREST TR

(PRIVATE RD.)

AZALEA DRIVE

Wal-Mart

(PRIVATE RD.)

MALL DRIVE

LOWE'S DR



2017  
146A

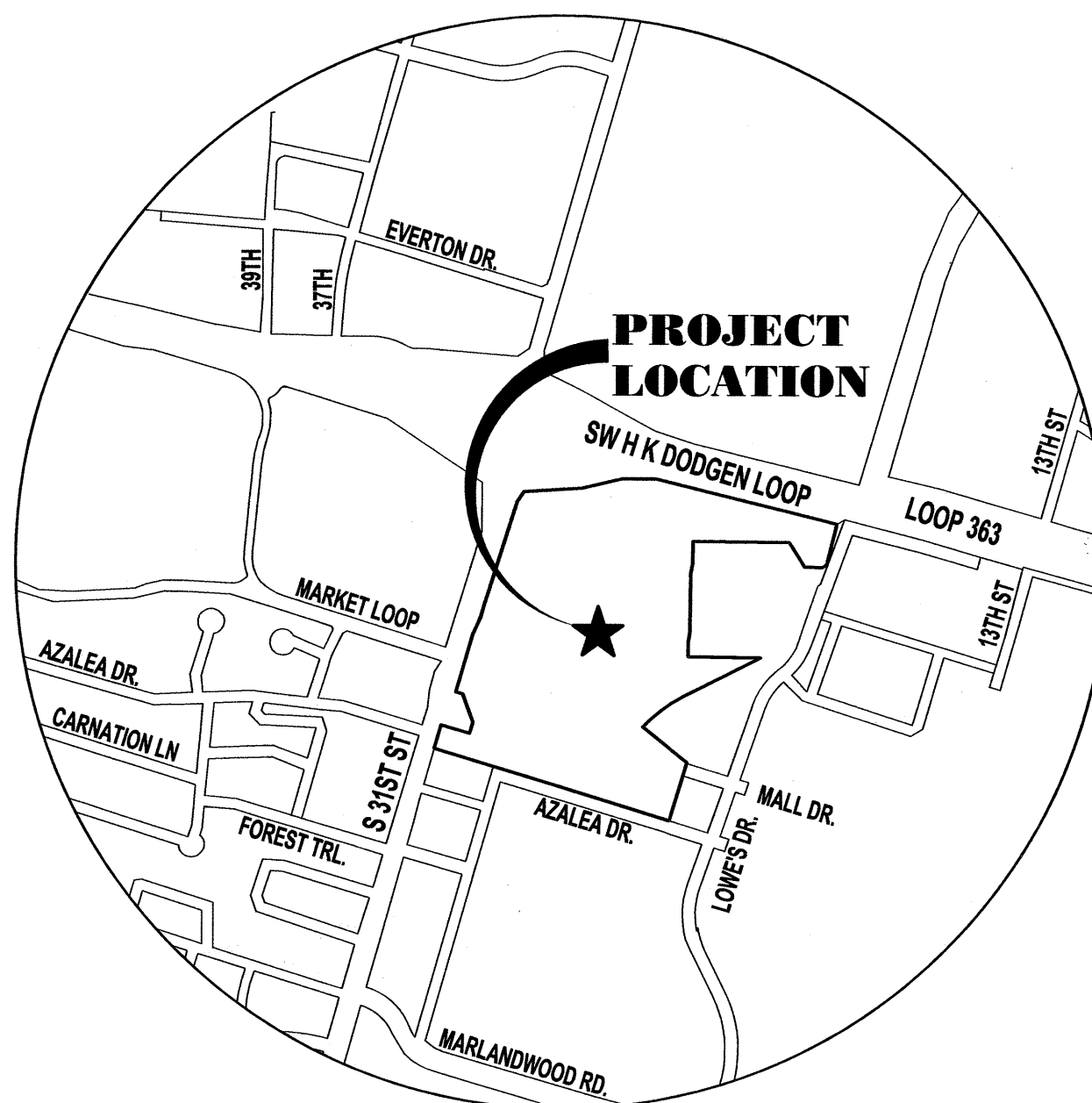
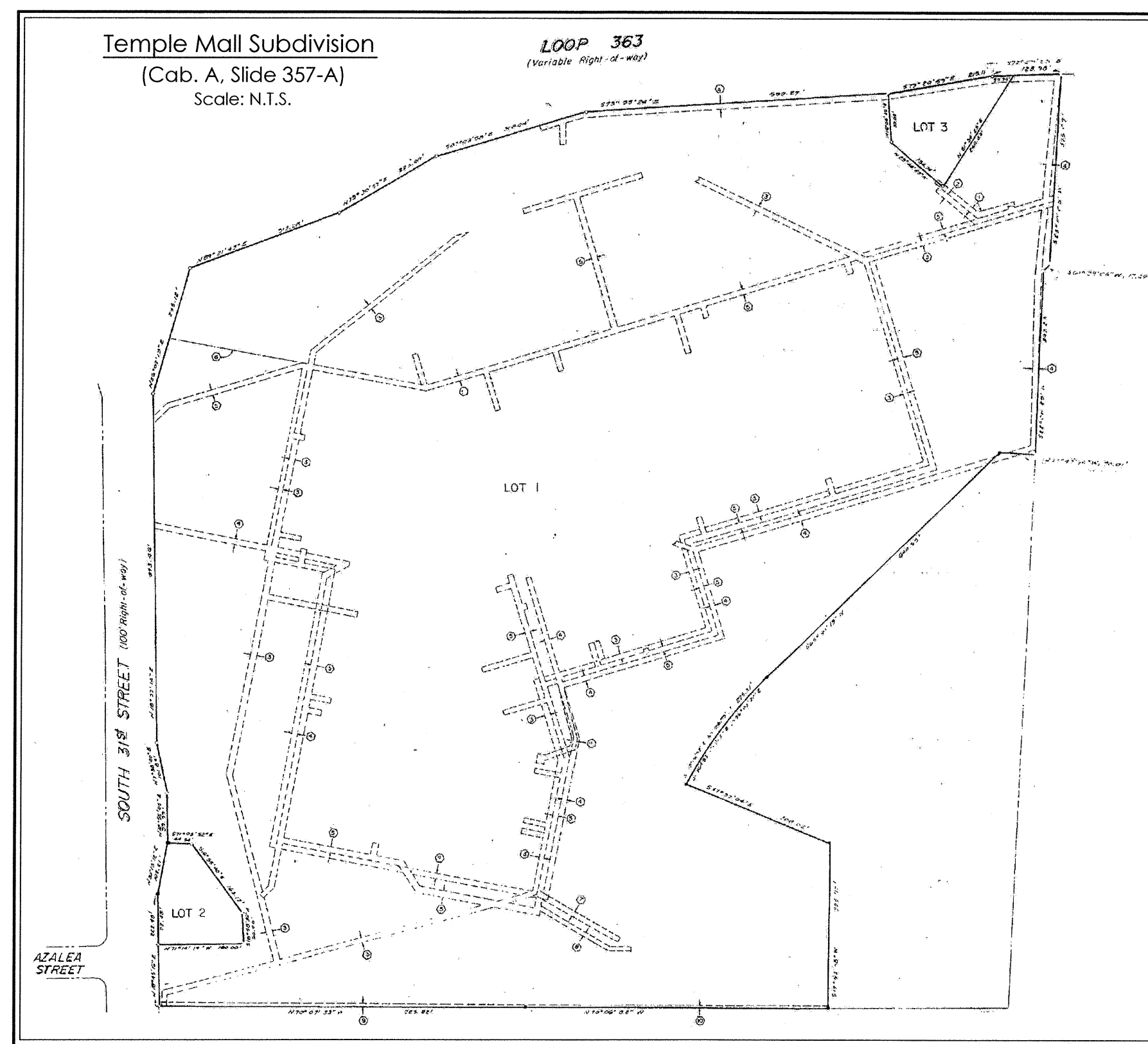
# TEMPLE MALL ADDITION

## REPLAT No. ONE

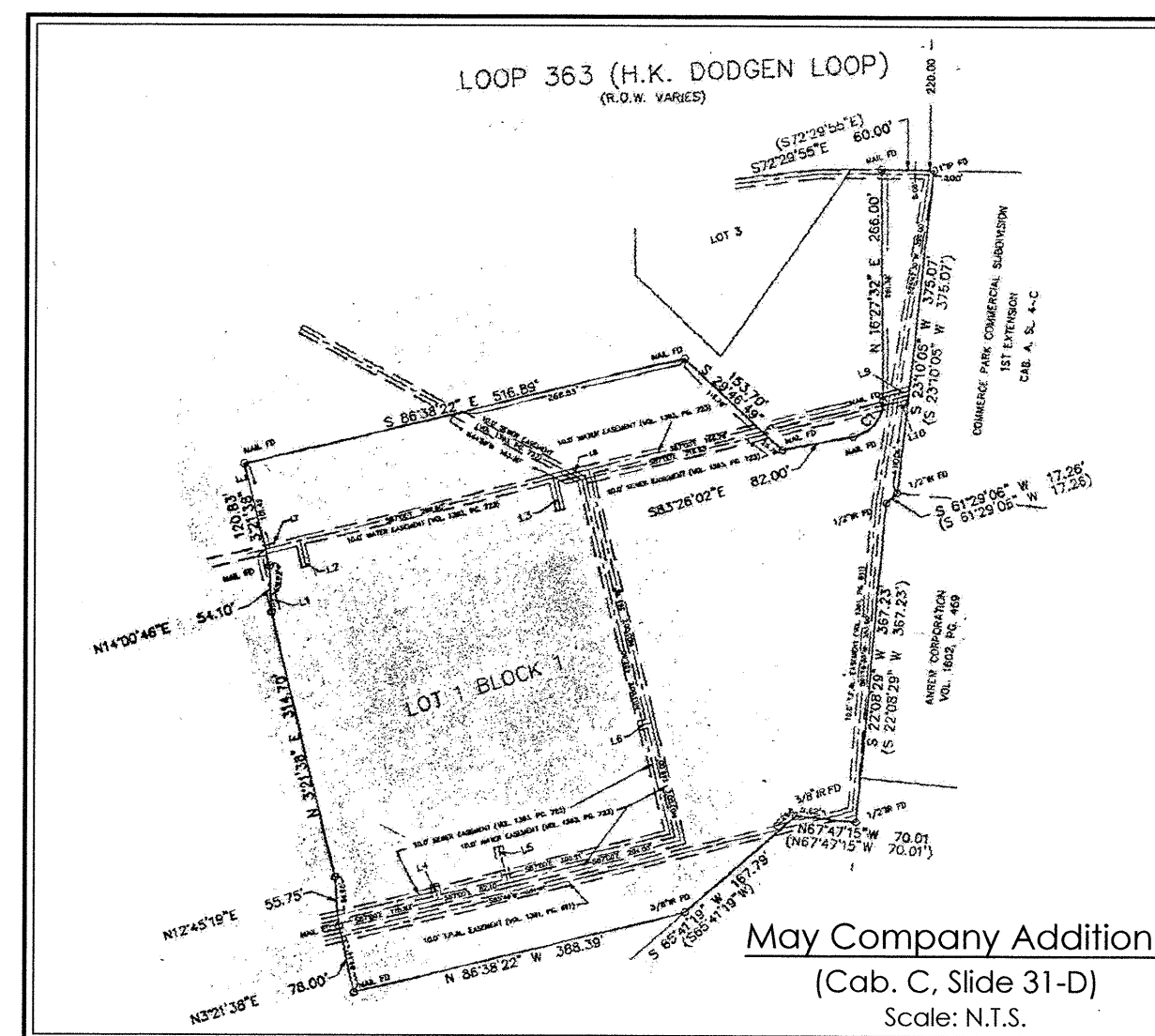
### TEMPLE, BELL COUNTY, TEXAS

#### SHEET INDEX

P1 COVER SHEET  
P2 FINAL PLAT



VICINITY MAP  
SCALE: N.T.S.



MUTUAL AGREEMENT BETWEEN THE TEMPLE MALL LLC AND DAVID MCBURNETT DATED 27 SEPTEMBER 2017, RECORDED AS DOCUMENT NO. 2017-43617, EXTENDS RESPONSIBILITIES AND RIGHTS FOR A CONSTRUCTION, OPERATION, AND RECIPROCAL EASEMENT AGREEMENT RECORDED IN VOL. 3205, PG. 1, PUBLIC RECORDS OF BELL COUNTY.

- All bearings are based upon the Texas Coordinate System, NAD 83 (CORS 96), Central Zone as determined by Leica Texas Smartnet GPS observations.  
All distances are surface distance.  
Combined scale factor=1.0001168.
- All interior lot corners marked with 1/2" ir & cap stamped "M & A" set after construction completed.
- All property corners are 1/2" ir & cap stamped "M & A", found, unless otherwise specified.
- This subdivision is located in zone X, areas determined to be outside the 0.2% annual chance floodplain, as indicated on the U.S. FEMA Agency Boundary Map, (Flood Insurance Rate Map), Map No. 48027C0355E, effective date September 26, 2008 for Bell County, Texas.
- All bearings are grid bearings referenced to the Texas State Plane Coordinate System, Central Zone, NAD 83.
- All coordinate values are referenced to City Monument No. 153.
- The theta angle at City Monument number 153 is +1°31'34".
- Combined Correction Factor (CCF) is 0.999854.
- Published City Coordinates for City Monument number 153 are X = 3,224,153.42 and Y = 10,364,214.82.
- The tie from City Monument number B0153 to the southeast corner of this 46.398 acres tract is S85°20'26"W, 1,436.47 feet.
- Grid Distance = surface distance times CCF.
- Geodetic North = grid north + theta angle.
- The reason for this replat is for the creation of outlots.
- ir = iron rod  
fnd = found  
P.U.E. = public utility easement  
W.E. = water easement  
D.E. = drainage easement  
B.L. = building setback line  
TBM = temporary bench mark  
P.O.B. = point of beginning  
PAV. = pavement  
MON. = monument  
BOC = back of curb
- Sidewalk required on one side of Lowe's Drive.
- Internal site access is provided by the Construction, Operation and Reciprocal Easement Agreement recorded in Volume 3205, Page 1 of the Bell County Deed Records and any amendments there to. No additional external access points are provided.



102 N. COLLEGE STREET  
KILLEEN, TEXAS 76541  
PHONE: (254) 634-5541  
FAX: (254) 634-2141

TEXAS BOARD OF PROFESSIONAL  
ENGINEERS FIRM REGISTRATION NO. 3241  
T. B. P. L. S. FIRM REGISTRATION  
NO. 100204-00

OWNER:  
Temple Mall LLC  
8320 Meadowbrook Dr.  
Fort Worth, TX 76120  
  
Instrument No. 2016-17485  
O.P.R.B.C.T.

No.	DATE	REMARKS	BY
2	9/11/2017	CITY OF TEMPLE COMMENTS #2	AR/FRB
1	8/28/2017	CITY OF TEMPLE COMMENTS	AR/FRB
		REVISIONS	

STATE OF TEXAS §  
COUNTY OF BELL §

The Temple Mall, LLC., a Texas limited liability company, owner of the land shown on this plat and designated herein as TEMPLE MALL ADDITION, REPLAT NO. ONE, a subdivision in the City of Temple, Bell County, Texas, and whose name is subscribed hereto, does hereby dedicate for the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.

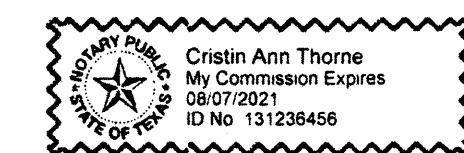
WITNESS the execution hereof, on this 13<sup>th</sup> day of October, 2017.

For: The Temple Mall, LLC., a Texas limited liability company

George L. Buck Harris, Manager

Before me, the undersigned authority, on this day personally appeared George L. Buck Harris, 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 expressed.

Given under my hand and seal of office this 13<sup>th</sup> day of October, 2017.



Cristin Anne Thorne  
NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

This plat has been submitted to and considered by the Planning and Zoning Commission of the City of Temple, Texas, and hereby approved by such commission.

Dated this 18<sup>th</sup> day of October, 2017.

CHAIR TO THE PLANNING AND ZONING COMMISSION

This final plat has been submitted to and considered by the City Council of the City of Temple, Texas, and is hereby approved by such council.

Dated this 5<sup>th</sup> day of October, 2017.

Ray Borgeson  
CITY SECRETARY

Mayor

MAYOR

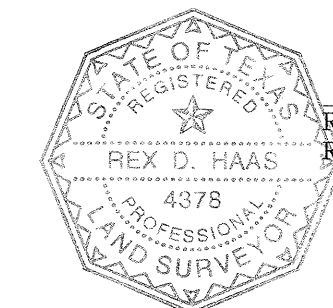
I, the undersigned, director of planning of the City of Temple, hereby certify that this subdivision plat conforms to all requirements of the City of Temple, it qualifies for final plat approval as provided in the ordinance, and it is hereby approved.

Dated this 17<sup>th</sup> day of October, 2017.

Director of Planning

KNOW ALL MEN BY THESE PRESENTS,

That I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the subdivision regulations of the City of Temple, Bell County, Texas, and this subdivision is within the City of Temple, Bell County, Texas.



KNOW ALL MEN BY THESE PRESENTS,

That I, Robert E. Mitchell, Licensed Professional Engineer in the State of Texas, do hereby certify that the proper engineering consideration in accordance with local, state, and federal regulations has been given this plat.

Robert E. Mitchell  
Licensed Professional Engineer, TX No. 87826

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this 5<sup>th</sup> day of October, A.D. 2017  
BELL COUNTY TAX APPRAISAL DISTRICT

BY: Neagan Drum

FILED FOR RECORD this 19<sup>th</sup> day of October, 2017. In Year 2017.  
Plat # 146A  
# 44050  
Official Public Records of Real Property, Bell County, Texas.

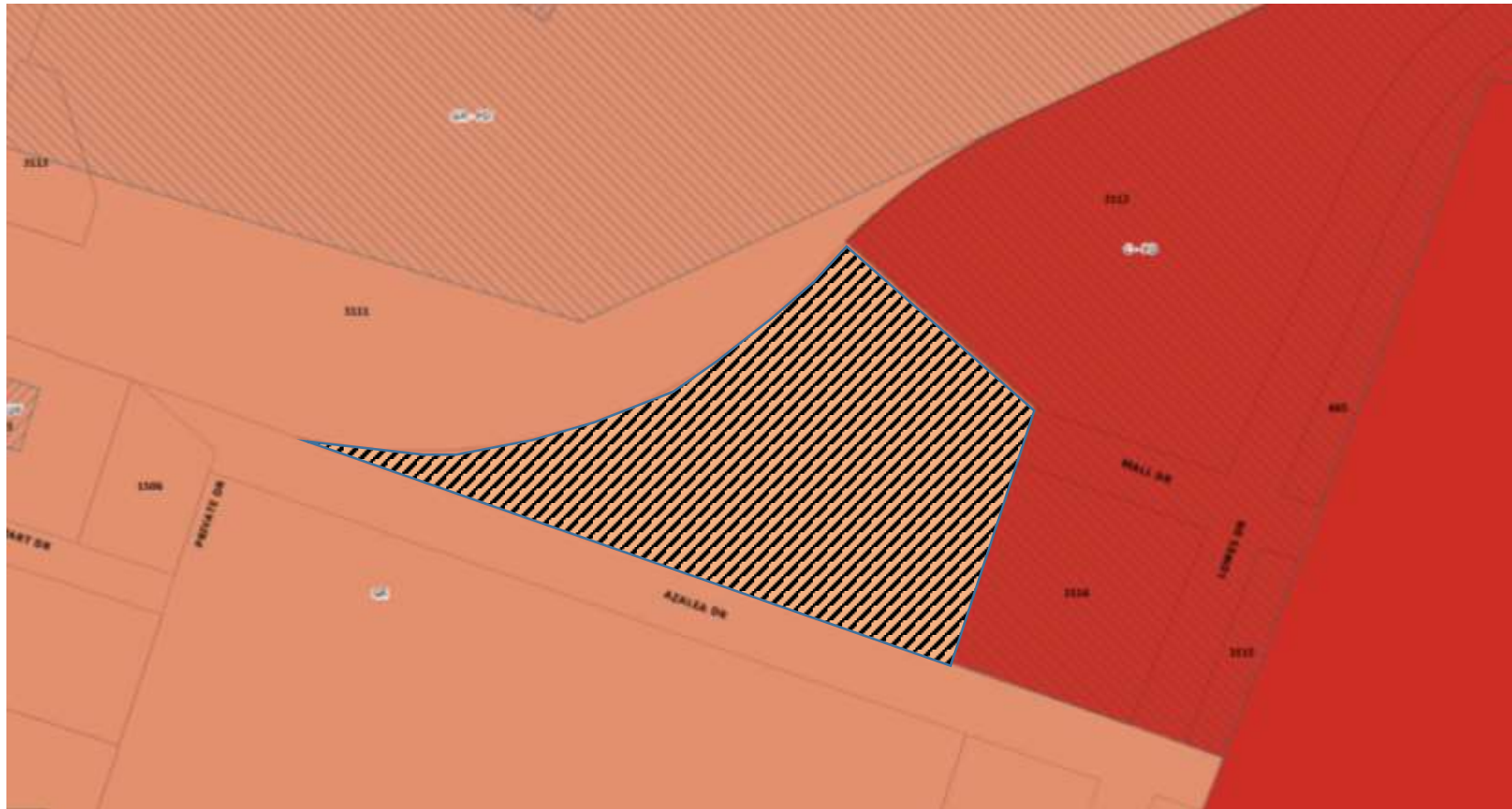
Inst # 2017-44050



Inst # 2017-44050



## Zoning Map





# GR TO PD MF-3 FUTURE LAND USE MAP

Zoning Case :  
Z-FY-18-13

Address :  
1210 Azalea Dr

## Transportation

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

## Parcel Features

- 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
- Production.SDE.Easement

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

Irbarrett

Date: 2/6/2018



## PEAK HOUR TRIP RATES FOR COMMON LAND USES

Land Use	Critical Peak Hour	Peak Hour Trip Rate	%Entering %Exiting	ITE Code
Apartments, High Rise	PM	0.35 Per Unit	61/39	222
Apartments, Low Rise	PM	0.58 Per Unit	65/35	221
Automobile Care Center	PM	3.38 Per 1,000 Sq. Ft.	50/50	942
Automobile Parts Sales and Service Center	PM	4.46 Per 1,000 Sq. Ft.	42/58	943
Automobile Sales (New)	PM	2.59 Per 1,000 Sq. Ft.	39/61	841
Bank with ATMs and Drive-Through	PM	27.41 Per Lane	49/51	912
Business Park	AM	1.43 Per 1,000 Sq. Ft.	84/16	770
Car Wash, Self Service	SAT	20.60 Per Wash Stall	50/50	947
Church	SUN	11.76 Per 1,000 Sq. Ft.	50/50	560
Convenience Store	AM	67.03 Per 1,000 Sq. Ft.	50/50	851
Convenience Store with Gas Pumps	PM	59.69 Per 1,000 Sq. Ft.	50/50	853
Day Care Center	PM	12.46 Per 1,000 Sq. Ft.	47/53	565
Discount Store	PM	5.00 Per 1,000 Sq. Ft.	50/50	815
Drinking Place	PM	11.34 Per 1,000 Sq. Ft.	66/34	925
Golf Course	PM	0.30 Per Acre	34/66	430
Hospital	PM	1.14 Per 1,000 Sq. Ft.	42/58	610
Hotel	PM	0.59 Per Room	53/47	310
Industrial Park	PM	0.86 Per 1,000 Sq. Ft.	21/79	130
Industrial, Heavy	AM	0.51 Per 1,000 Sq. Ft.	N/A	120
Industrial, Light	PM	0.97 Per 1,000 Sq. Ft.	12/88	110
Manufacturing	PM	0.73 Per 1,000 Sq. Ft.	36/64	140
Mobile Home Park	PM	0.59 Per Unit	62/38	240
Motel	AM	0.64 Per Room	36/64	320
Movie Theater with Matinee	PM	102.87 Per Screen	58/42	444
Office Building, General	AM	1.55 Per 1,000 Sq. Ft.	88/12	710
Office Building, Medical-Dental	PM	3.46 Per 1,000 Sq. Ft.	27/73	720
Office Building, Single Tenant	AM	1.80 Per 1,000 Sq. Ft.	89/11	715
Office Park	AM	1.71 Per 1,000 Sq. Ft.	89/11	750
Pharmacy, without Drive-through	PM	8.42 Per 1,000 Sq. Ft.	50/50	880
Pharmacy, with Drive-through	PM	10.35 Per 1,000 Sq. Ft.	50/50	881
Quick Lubrication Vehicle Shop	PM	5.19 Per Bay	55/45	941
Recreational Community Center	AM	1.62 Per 1,000 Sq. Ft.	61/39	495
Residential, Multi-Use, Retail Mixed Development (PUD)	PM	0.62 Per Unit	65/35	270
Residential, Single Family	PM	1.01 Per Unit	63/37	210
Restaurant, Fast-Food (with Drive-Through)	AM	49.35 Per 1,000 Sq. Ft.	51/49	934
Restaurant, High Turnover	PM	18.49 Per 1,000 Sq. Ft.	54/46	932
School, Elementary	AM	0.45 Per Student	55/45	520
School, High	AM	0.42 Per Student	68/32	530
School, Middle/Junior High	AM	0.54 Per Student	55/45	522
Service Station, with Convenience Market (with Car Wash)	PM	13.94 Per Fueling Position	51/49	946
Service Station, with Convenience Market (without Car Wash)	PM	13.38 Per Fueling Position	50/50	945
Shopping Center	SAT	4.89 Per 1,000 Sq. Ft.	52/48	820
Specialty Retail Center	PM	2.71 Per 1,000 Sq. Ft.	44/56	814
Supermarket	PM	11.85 Per 1,000 Sq. Ft.	53/47	850
Video Rental	PM	13.60 Per 1,000 Sq. Ft.	46/54	896
Warehousing, General	PM	0.32 Per 1,000 Sq. Ft.	25/75	150
Warehousing, Mini	PM	0.26 Per 1,000 Sq. Ft.	51/49	151

These are some of the values from the 8th Edition ITE Manual – Refer to ITE for additional trip rates



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

WENDLAND, ERROLL  
505 CHEROKEE DR  
TEMPLE, TX 76504

**Zoning Application Number:** Z-FY-18-13

**Case Manager:** Lynn Barrett

**Location:** 1210 Azalea Drive, 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:**

**RECEIVED**

FEB 14 2018

City of Temple

Planning & Development

*Barbara Wendland*  
**Signature** *p.o.a. for Erroll Wendland*

*BARBARA WENDLAND*  
**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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **February 20, 2018**.

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

Number of Notices Mailed: 6

Date Mailed: February 8, 2018

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





**NOTICE OF PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE**

Temple Independent School District  
200 N. 23<sup>rd</sup> Street  
Temple, Texas 76504

**Zoning Application Number:** Z-FY-18-13

**Project Manager:** Lynn Barrett

**Location:** 1210 Azalea Drive, Temple, Texas

House Bill 674, effective September 1, 2013, requires school districts be notified of a proposed change in a zoning classification affecting residential or multifamily zoning in their district. This proposed zone change request is located within the Temple Independent School District. This notice does not require a response but your opinion is welcomed. Should you have any question, please contact Lynn Barrett, Project Manager, at 298-5668 or by e-mail at [lrbartett@templetx.gov](mailto:lrbartett@templetx.gov)

**Comments:**

TISD SUPPORTS RESIDENTIAL DEVELOPMENT  
THAT PROVIDES POTENTIAL FOR STUDENT  
ENROLLMENT GROWTH - THIS PROPOSED  
PROJECT WOULD BE WELCOMED -

THANK YOU -  
KENT BOYD

Please mail or hand-deliver this comment form to the address shown below, no later than **February 20, 2018.**

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

ORDINANCE NO. 2018-4905  
(Z-FY-18-13)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM GENERAL RETAIL TO PLANNED DEVELOPMENT MULTI-FAMILY THREE, WITH A SITE DEVELOPMENT PLAN ON APPROXIMATELY 4.203 ACRES FOR A FIVE-STORY APARTMENT BUILDING SITUATED ON LOT 5, BLOCK 1, TEMPLE MALL ADDITION, REPLAT NO. 1, AND ADDRESSED AS 1210 AZALEA DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas,** Ace Reneau, on behalf of the owner Temple Mall LLC, requests a rezoning from General Retail zoning district to Planned Development Multi-Family Three on a portion of the undeveloped back portion of the Temple Mall property that was recently re-platted creating the subject lot;

**Whereas,** with Planned Development Multi-Family Three, the applicant is proposing an apartment building of five stories with a pool and resident plaza, with surrounding parking on three sides - due to its shape, the property presents challenges relating to buffering the parking area, which are offset by the additional landscaping offered;

**Whereas,** there will be a mix of one and two bedroom units for a total of 140 units included in the project - amenities include a swimming pool and resident plaza;

**Whereas,** the development has two access points to Azalea Drive and two internal access points to the Temple Mall property which lead to Lowes Drive and to the Loop - access concerns could be addressed in the future with a potential driveway connection to an unimproved adjacent Right of Way that intersects Lowes Drive;

**Whereas,** the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning and Site Development Plan from General Retail Zoning District to Planned Development Multi-Family Three Zoning District, on approximately 4.203 acres situated on lot 5, block 1, Temple Mall Addition, Replat No. 1, addressed as 1210 Azalea Drive, Temple, Texas; and

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

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

**Part 1: 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 a rezoning from General Retail Zoning District to Planned Development Multi-Family Three Zoning District, on approximately 4.203 acres of a five-story apartment building situated on lot 5, block 1, Temple Mall Addition, Replat No. 1, addressed as 1210 Azalea Drive, Temple, Texas, as more thoroughly described by the site development plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes along with the following conditions:

1. Substantial compliance with the attached development/site plan including Azalea Drive sidewalk;
2. Provide a landscaped area exceeding 20% (approximately 37,000 square feet) with 79 trees and 316 bushes; 50% to be from medium/large list (exceeds requirements of 5% landscaping);
3. A 10-foot landscaped buffer yard along the frontage with Azalea Drive;
4. Building elevations would substantially comply with submitted plans; and
5. Changes to the development site plan related to drainage considerations for site approval at the building permit stage would not be considered a substantial change.

**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 **5<sup>th</sup>** day of **April**, 2018.

PASSED AND APPROVED on Second Reading on the **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(N)  
Consent Agenda  
Page 1 of 1

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution finding that Oncor Electric Delivery Company LLC's Application for Approval of a Distribution Cost Recovery Factor pursuant to 16 Texas Administrative Code § 25.243 to increase distribution rates within the City of Temple should be denied.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** On April 5, 2018, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an Application for Approval of a Distribution Cost Recovery Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of \$19,002,177.

The proposed resolution would deny the DCRF application and authorize the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

**FISCAL IMPACT:** None.

### **ATTACHMENTS:**

[Resolution](#)



RESOLUTION NO. 2018-9111-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

---

**Whereas**, the City of Temple, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor;

**Whereas**, the City is a member of the Steering Committee of Cities Served by Oncor ("OCSC"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area;

**Whereas**, on or about April 5, 2018 Oncor filed with the City an Application for Approval of a Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 48231, seeking to increase electric distribution rates by approximately \$19,002,177;

**Whereas**, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted;

**Whereas**, Cities are coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application;

**Whereas**, Cities members and attorneys recommend that members deny the DCRF; 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:** That the City is authorized to participate with Cities in PUC Docket No. 48231.

**Part 3:** That subject to the right to terminate employment at any time, the City of Temple hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

**Part 4:** That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

**Part 5:** That the Company shall continue to charge its existing rates to customers within the City.

**Part 6:** That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor.

**Part 7:** 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 8:** That a copy of this Resolution shall be sent to Stephen N. Ragland, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, General Counsel to the Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

**Part 9:** 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 19<sup>th</sup> day of April 2018.

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

---

04/19/18  
Item #3(O)  
Consent Agenda  
Page 1 of 1

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Brynn Myers, City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution revising the City of Temple Housing Improvement Program Guidelines and authorizing the City Manager to waive permitting fees related to the program.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** In response to needs identified in the Community Development Block Grant (CDBG) Program 2015 Need's Assessment, Council approved the 2015-2019 Consolidated Plan in August, 2015. The Plan outlined a Housing Improvement Program, which focused on owner-occupied housing rehabilitation to further the availability of safe, affordable, and decent housing for low to moderate income residents.

The purpose of the program is to focus on homes that:

- Need repairs or renovation to become safe, sanitary, secure, and/or fit for human habitation, and/or
- Need accessibility accommodations for elderly, sight, or mobility impaired household members.

Council approved the current Housing Improvement Program Guidelines July 7, 2016. The proposed changes to the Housing Improvement Program Guidelines will enhance the ability of the City to affect positive change in the community by streamlining the application process and removing burdensome requirements on the homeowner/applicant. The proposed changes are to:

- Remove the requirement for the homeowner to repay 10% of the cost of repair or accessibility accommodation and execute a deed of trust/promissory note in favor of the City;
- Remove the requirement for the homeowner to have and maintain homeowner's insurance;
- Make placing a lien on the property discretionary rather than mandatory, to be determined based on the value of the improvements made to the property, and make any lien placed on the property forgivable in a percentage amount for each year of the life of the lien

As the proposed changes are to the benefit of the homeowner/applicant, Staff recommends that these revisions be applied retroactively to the currently pending application pool.

**FISCAL IMPACT:** The program will be funded through CDBG grant funding as the funds are available.

### **ATTACHMENTS:**

Housing Improvement Program Guidelines – to be provided

[Resolution](#)

RESOLUTION NO. 2018-9112-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, REVISING THE CITY OF TEMPLE HOUSING IMPROVEMENT  
PROGRAM GUIDELINES AND AUTHORIZING THE CITY MANAGER TO  
WAIVE PERMIT FEES RELATED TO THE PROGRAM; AND PROVIDING  
AN OPEN MEETINGS CLAUSE.

---

**Whereas**, in response to needs identified in the Community Development Block Grant (CDBG) Program 2015 Need's Assessment, Council approved the 2015-2019 Consolidated Plan (Plan) in August, 2015;

**Whereas**, the Plan outlined a Housing Improvement Program, which focused on owner-occupied housing rehabilitation to further the availability of safe, affordable, and decent housing for low to moderate income residents;

**Whereas**, the purpose of the program is to focus on homes that:

- need repairs or renovation to become safe, sanitary, secure, and/or fit for human habitation; and/or
- need accessibility accommodations for elderly, sight, or mobility impaired household members;

**Whereas**, Council approved the current Housing Improvement Program Guidelines July 7, 2016 - the proposed changes will enhance the ability of the City to affect positive change in the community by streamlining the application process and removing burdensome requirements on the homeowner/applicant;

**Whereas**, the proposed changes are to:

- Remove the requirement for the homeowner to repay 10% of the cost of repair or accessibility accommodation and execute a deed of trust/promissory note in favor of the City;
- Remove the requirement for the homeowner to have and maintain homeowner's insurance; and
- Make placing a lien on the property discretionary rather than mandatory, to be determined based on the value of the improvements made to the property, and make any lien placed on the property forgivable in a percentage amount for each year of the life of the lien;

**Whereas**, the program will be funded through CDBG grant funding as the funds are available; 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 revises the City of Temple Housing Improvement Program Guidelines, as set forth in Exhibit A, attached to this Resolution and incorporated herein for all purposes and authorizes the City Manager to waive permitting fees related to the 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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(P)  
Consent Agenda  
Page 1 of 1

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Brynn Myers, City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution amending the outside agency funding policy.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** The City of Temple has historically supported the efforts of many outside agencies that help the City leverage service delivery and funding levels through funding support within the City's Annual Budget. An Outside Agency Funding Policy has been adopted by City Council that establishes the guidelines and processes that should be followed for consideration of these funding requests.

The proposed amendments to the policy consolidate the Community Enhancement Grant and Public Service Agency Grant into a single funding category.

**FISCAL IMPACT:** The amount of funding received by each agency under this policy depends upon Council direction and the availability of funds. Funding is appropriated through the City's annual budgeting process.

### **ATTACHMENTS:**

[Proposed Outside Agency Funding Policy Resolution](#)

## CITY OF TEMPLE OUTSIDE SERVICE AGENCY FUNDING POLICY

- A. **Policy Statement:** It is the policy of the City of Temple to consider funding requests from outside agencies or organizations that help the City leverage service delivery and funding levels in areas such as transportation, social services, recreation, tourism, and cultural services.

The City Council may fund a number of outside agencies and organizations that are committed to providing programs and/or services for the citizens of Temple that fulfill a public purpose. The amount of funding received by each agency depends upon Council direction and the availability of funds.

- B. **Eligible Agencies:** An eligible agency must provide programs and/or services within the City of Temple and be a not-for-profit (public or private), governmental, or quasi-governmental entity organized and existing under Texas law. The agency must be recognized by and provide proof of tax-exempt status under Section 501 (c) of the Internal Revenue Code of the United States, unless the agency is a governmental or quasi-governmental entity.
- C. **Public Purpose Test:** The Texas Constitution, State statutes, and Federal regulations establish clear standards for the use of public funds. The standards require cities to spend taxpayer money for public purposes and prohibit the use of public money for private purposes. The application of this mandate, for the purposes of this policy, will be accomplished on the basis that the City will fund those agencies and programs that fully meet the requirements of this policy. Every agency must serve a public purpose by delivering service that the City government could provide itself but chooses to deliver the services through a non-profit entity.

D. **Funding Categories:**

1. **Strategic Partner** – This category includes funding awarded to organizations that work collaboratively with the City of Temple to provide programs or services that directly support City departmental activities.

Examples of agencies eligible for funding through this category include:

- a. Bell County HELP Center
- b. Keep Temple Beautiful
- c. Hill Country Community Action Association (congregant meals)
- d. Hill Country Transit District
- e. Hillcrest (Temple) Cemetery
- f. Ralph Wilson Youth Clubs

2. **Tourism & Arts Grant (Hotel-Motel Tax Fund)** – This category includes grants awarded to organizations that work collaboratively with the City of Temple Convention and Visitors Bureau to provide programs or services that promote tourism. Agencies that received funding in this category must meet all requirements of State law regarding the proper use of Hotel Occupancy Tax funds.

- ~~3. **Public Service Agency Grant (Community Development Block Grant (CDBG) Fund)** – This category includes competitive grants awarded to organizations for the administration of qualified public services that achieve specific outcomes that are in alignment with the City of Temple's Community~~



~~Development Consolidated Plan. Agencies that received funding in this category must meet all requirements of Federal regulations regarding the proper use of CDBG grant funds. The City may allocate up to 14% of the City's CDBG total annual award amount for Public Service Agency grants.~~

4. **Community Enhancement Grant (General Fund)** – This category includes competitive grants awarded to organizations for the administration of programs and activities that achieve specific outcomes that are in alignment with the City of Temple's Strategic Plan and/or Community Development Consolidated Plan. ~~Programs and activities funded in this category will typically be time-limited and project-based, generally undertaken over a 12-month period, rather than for general operating costs. The City will typically allocate an amount equal to the Public Service Agency Grant allocation for Community Enhancement grants.~~

## E. Funding Procedures:

1. **Strategic Partner** – Strategic Partner agencies will use the following procedures for annual funding requests:
  - a. Submit budget requests to the City Manager, or his designee, by the deadline and in the format established by the City Manager.
  - b. Agency funding requests will be reviewed during the departmental budget review process.
  - c. The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.
  - d. The City Council will approve, via adoption of the Annual Budget, funding levels for each agency.
2. **Tourism & Arts Grant (Hotel-Motel Tax Fund)** – Agencies seeking a Tourism & Arts grant will use the following procedures for funding requests:
  - a. Submit budget requests to the City Manager, or his designee, by the deadline and in the format established by the City Manager.
  - b. Agency funding requests will be reviewed during the departmental budget review process.
  - c. The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.
  - d. The City Council will approve, via adoption of the Annual Budget, funding levels for each agency.
3. ~~**Public Service Agency Grant (CDBG Fund)** – Agencies seeking a Public Service Agency grant will use the following procedures for funding requests:~~
  - ~~a. All applications for Public Service Agency grants must be in writing using the prescribed format and schedule established by the City Manager. Grant applications will contain the following elements:~~
    - ~~i. Must demonstrate how the program or activity achieves specific outcomes that are in alignment with the City of Temple's Community Development Consolidated Plan.~~
    - ~~ii. Must demonstrate the program meets the public purpose test for expenditure of public funds.~~
  - ~~b. All applications for Public Service Agency grants will be reviewed by a committee established by the City Manager. The Committee will use the following criteria to evaluate applications:~~
    - ~~i. **Public Purpose:** Each program funded by the City of Temple must meet the public purpose test established in this policy.~~

- ii. ~~**Community Impact:** Each program funded must have a substantive impact on the Temple community consistent with the goals and objectives established in the City of Temple's Community Development Consolidated Plan.~~
    - iii. ~~**Policy Compliance.** The Committee will consider the completeness of the application in adherence to the requirements of this policy.~~
  - c. ~~The Committee will present to the City Manager recommendations for programs to be funded, and the respective amounts of funding recommended for each. A written narrative which explains the rationale for the recommendations will be provided.~~
  - d. ~~The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.~~
  - e. ~~The City Council will approve, via adoption of the CDBG Annual Action Plan and the City's Annual Budget, funding levels for each agency.~~
4. **Community Enhancement Grant (General Fund)** – Agencies seeking a Community Enhancement grant will use the following procedures for funding requests:
- a. All applications for Community Enhancement grants must be in writing using the prescribed format and schedule established by the City Manager. Grant applications will contain the following elements:
    - i. Must demonstrate how the program or activity achieves specific outcomes that are in alignment with the City of Temple's Strategic Plan [and/or the Community Development Consolidated Plan](#).
    - ii. Must demonstrate the program meets the public purpose test for expenditure of public funds.
    - iii. ~~Must demonstrate the request is for a specific project or activity that is time-limited and project-based, generally undertaken over a 12-month period, rather than for general operating costs.~~
  - b. All applications for Community Enhancement grants will be reviewed by a committee established by the City Manager. The Committee will use the following criteria to evaluate applications:
    - i. **Public Purpose:** Each program funded by the City of Temple must meet the public purpose test established in this policy.
    - ii. **Community Impact:** Each program funded must have a substantive impact on the Temple community consistent with the goals and objectives established in the City of Temple's Strategic Plan [and/or the Community Development Consolidated Plan](#).
    - iii. **Policy Compliance.** The Committee will consider the completeness of the application in adherence to the requirements of this policy.
  - c. ~~The Committee will present to the City Manager recommendations for programs to be funded, and the respective amounts of funding recommended for each. A written narrative which explains the rationale for the recommendations will be provided.~~
  - d. The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.
  - e. The City Council will approve, via adoption of the Annual Budget, funding levels for each agency.

- F. **Funding Agreements:** Agencies that are awarded funds through this policy will be required to enter into a funding agreement with the City.
- G. **Reports and Monitoring:** Agencies that are awarded funds through this policy will be required to provide a written annual report of the expenditure of City funds and a written annual report on the effectiveness of services or projects for which the agency received funding.

Agencies may be required to provide a presentation of their annual report to the City Council at a scheduled City Council meeting.

City funding may only be used for the purpose and service(s) duly authorized and in accordance with the approved funding agreement. Any deviation from the approved funding agreement may be made only with the City's prior written approval. If not, funds must be returned immediately to the City.

RESOLUTION NO. 2018-9113-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, AMENDING THE OUTSIDE AGENCY FUNDING POLICY; AND  
PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City of Temple has historically supported the efforts of many outside agencies that help the City leverage service delivery and funding levels through funding support within the City's Annual Budget;

**Whereas**, an Outside Agency Funding Policy which was previously adopted by City Council, establishes guidelines and processes that should be followed for consideration of these funding requests;

**Whereas**, the proposed amendments to the policy consolidate the Community Enhancement Grant and Public Service Agency Grant into a single funding category, and are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes;

**Whereas**, the amount of funding received by each agency under this policy depends upon Council direction and the availability of funds - funding is appropriated through the City's annual budgeting process; 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 amends the outside agency funding policy, as set forth in Exhibit A, attached to this Resolution and incorporated herein 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 **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #3(Q)  
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 2017-2018.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** This item is to recommend various budget amendments, based on the adopted FY 2017-2018 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

**FISCAL IMPACT:** The total amount of budget amendments is \$42,657.

**ATTACHMENTS:**

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

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2018 BUDGET**  
**April 19, 2018**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2360-540-2516		Other Services / Judgments & Damages	\$ 12,930	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 12,930
To appropriate TML insurance proceeds for damages to the lift on asset # 13694.				
520-5000-535-6310	101403	Capital Buildings & Grounds / Update Exterior Lighting	\$ 23,127	
520-5200-535-6211	101703	Capital Equipment / Potholing Machine		\$ 5,450
520-5200-535-6216	101330	Capital Equipment / Chain Cutter		\$ 5,000
520-5200-535-6357	101707	Capital Buildings & Grounds / FY 2018 Water Line Improvements		\$ 3,614
520-5400-535-6211	101703	Capital Equipment / Potholing Machine		\$ 5,450
520-5400-535-6361	101704	Capital Buildings & Grounds / FY 2018 Wastewater Line Improvements		\$ 3,613
<p>To reallocate funding for construction services provided by Energy &amp; Automation, Inc. of Waco for lighting replacement of the Service Center Parking Lot Lights. Council authorized construction contracts with Energy &amp; Automation, Inc. (for \$20,290.20) and Clear Blue Energy Corporation (for \$351,025.64) on February 15, 2018 as part of the LED lighting upgrades at 26 City facilities utilizing the State Energy Conservation Office (SECO) LoanSTAR program.</p> <p>It has since been deemed that the material used by Energy &amp; Automation, Inc. during the construction does not qualify as Buy American. This has resulted in the project becoming ineligible for funding under the LoanSTAR program. The budget adjustment also takes into consideration change order # 1 with Energy &amp; Automation, Inc. in the amount of \$2,836.75.</p>				
240-7000-551-2535		Other Services / Land & Building Rentals	\$ 6,600	
240-7000-551-2120		Supplies / Education/Recreation		\$ 1,300
240-7000-551-2129		Supplies / Advertising/Marketing		\$ 1,300
240-0000-316-1616		Reserve for Museum / Restricted Donations		\$ 4,000
To appropriate restricted donations for relocation of Archives from the Historic Post Office Building to Kyle Hotel.				
<b>TOTAL AMENDMENTS</b>			<b>\$ 42,657</b>	<b>\$ 42,657</b>
<b>GENERAL FUND</b>				
Beginning <b>Contingency</b> Balance			\$ -	
Added to Contingency Sweep Account			-	
Carry forward from Prior Year			-	
Taken From Contingency			-	
Net Balance of Contingency Account			\$ -	
Beginning <b>Judgments &amp; Damages</b> Contingency			\$ 25,182	
Added to Contingency Judgments & Damages from Council Contingency			-	
Taken From Judgments & Damages			(25,000)	
Net Balance of Judgments & Damages Contingency Account			\$ 182	
Beginning <b>Compensation</b> Contingency			\$ 343,000	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			(343,000)	
Net Balance of Compensation Contingency Account			\$ -	
<b>Net Balance Council Contingency</b>			<b>\$ 182</b>	
Beginning Balance <b>Budget Sweep</b> Contingency			\$ -	
Added to Budget Sweep Contingency			-	
Taken From Budget Sweep			-	
Net Balance of Budget Sweep Contingency Account			\$ -	

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2018 BUDGET**  
**April 19, 2018**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		<b>WATER &amp; SEWER FUND</b>		
		Beginning <b>Contingency</b> Balance		\$ 65,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(12,084)
		Net Balance of Contingency Account		\$ 52,916
		Beginning <b>Compensation</b> Contingency		\$ 63,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(63,000)
		Net Balance of Compensation Contingency Account		\$ -
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>		<b>\$ 52,916</b>
		<b>HOTEL/MOTEL TAX FUND</b>		
		Beginning <b>Contingency</b> Balance		\$ -
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account		\$ -
		Beginning <b>Compensation</b> Contingency		\$ 19,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(19,000)
		Net Balance of Compensation Contingency Account		\$ -
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>		<b>\$ -</b>
		<b>DRAINAGE FUND</b>		
		Beginning <b>Contingency</b> Balance		\$ 807,065
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		(694,864)
		Net Balance of Contingency Account		\$ 112,201
		Beginning <b>Compensation</b> Contingency		\$ 12,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(12,500)
		Net Balance of Compensation Contingency Account		\$ -
		<b>Net Balance Drainage Fund Contingency</b>		<b>\$ 112,201</b>
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> Balance		\$ -
		Carry forward from Prior Year		39,299
		Added to Contingency Sweep Account		6,926
		Taken From Contingency		(37,343)
		<b>Net Balance Fed/State Grant Fund Contingency</b>		<b>\$ 8,882</b>



RESOLUTION NO. 2018-9114-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE  
2017-2018 CITY BUDGET; AND PROVIDING AN OPEN  
MEETINGS CLAUSE.

---

**Whereas**, on the 25<sup>th</sup> day of August, 2017, the City Council approved a budget for the 2017-2018 fiscal year; and

**Whereas**, the City Council deems it in the public interest to make certain amendments to the 2017-2018 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 2017-2018 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 19<sup>th</sup> day of **April**, 2018.

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

---

04/19/18  
Item #4  
Regular Agenda  
Page 1 of 4

### **DEPT. / DIVISION SUBMISSION & REVIEW:**

Mark Baker, Senior Planner

**ITEM DESCRIPTION:** SECOND READING – Z-FY-18-15: Consider adopting an ordinance authorizing rezoning from Agricultural to General Retail proposed for 3 +/- acres and Multiple-Family Dwelling 1 proposed for 1 +/- acre, located on the eastside of State Highway 317, approximately 1,100 feet south of its intersection with Hogan Road, addressed as 5701 State Highway 317.

**STAFF RECOMMENDATION:** Staff recommends approval for a rezoning from AG to NS district, of the three western-most acres and keeping the eastern one acre AG for the following reasons:

1. The location and acreage of the proposed NS zoning is compatible with surrounding zoning, existing and anticipated uses as well as future growth trends in the area;
2. Existing residential uses will be buffered and screened from all non-residential uses at the common borders between the NS & Agriculturally-zoned property or the NS & residentially used or zoned property;
3. The proposal is in compliance with the Thoroughfare Plan; and
4. Public facilities are currently available to serve the subject property as a three employee office.

**PLANNING & ZONING COMMISSION DISCUSSION:** During the March 5, 2018 Planning & Zoning Commission meeting, concerns were discussed about the following:

1. Traffic and access to the project site from SH 317;
2. Expansion and timing of upgrades to existing utilities beyond a three employee office use; and
3. Undesired impacts associated with potential multi-family & non-residential uses fronting along SH 317.

As a result of the above discussion items, the applicant agreed to table the request until the March 19, 2018 Planning & Zoning Commission meeting and meet with staff to discuss options.

On March 13, 2018, staff met with the applicant to discuss options and alternatives. The applicant and staff are in agreement to proceed with Neighborhood Service (NS) instead of General Retail (GR) and withdraw the one acre of MF-1 from the request, effectively reducing the request from four acres to three acres all of which would be for NS. Additionally, the buffer has been increased by a distance of approximately 176 feet between the NS-zoned-portion of the property and the adjacent residential property, for a total distance of 327 feet. The attached surveyor sketch and field notes reflect the boundary of the three acres and be attached as Exhibit A of the ordinance, if the rezoning is approved by City Council. As presented at the March 5, 2018 Planning & Zoning Commission meeting and discussed later in this report, a 4/5<sup>th</sup> vote by City Council is still required even though the request has been revised.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their March 19, 2018 meeting, the Planning & Zoning Commission voted six to zero to recommend approval per staff's recommendation for NS on the three western-most acres of the subject property.

**ITEM SUMMARY:** The applicants, Michael Allen & Cy Long, initially requested rezoning of 4.00 +/- acres from Agricultural (AG) zoning district to a combination of three acres for General Retail (GR) and one acre of Multiple-Family 1 (MF-1) zoning districts. The MF-1 would have allowed up to 15 dwelling units per acre. As a result of discussion at the March 5, 2018 Planning & Zoning Commission and subsequent agreement between the applicant and Planning staff, the Planning and Zoning Commission recommended approval from AG to NS for the three western-most acres of the subject property.

The applicant proposes to use current structures for non-residential uses within the current confines of the existing septic system. Expansion will require review of a subdivision plat and evaluation of whether utilities need to be upgraded and/or extended.

While TxDOT has been notified of the rezoning, no formal response has been received by staff. A TxDOT permit however, to widen the existing 16-foot driveway to 24 feet wide, was issued to the applicant on November 1, 2017.

**BUFFERING & SCREENING:** Per UDC Section 7.7.4, buffering and screening standards apply along the common boundary between nonresidential and an agricultural use or residential zoning district or use. Standards are more detailed on the attached table.

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

**Future Land Use Map (CP Map 3.1)**

The subject property is split by two Future Land Use Map (FLUM) designations, the Suburban Commercial and the Suburban Residential designations. The Suburban Commercial designation is appropriate for office and retail service uses and supports Office 1 (O-1), Office 2 (O-2) and Neighborhood Service (NS) zoning designations. Therefore, the requested rezoning is in **compliance** with the Future Land Map.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from State Highway 317 (SH 317), an arterial street. While TxDOT improvements are on-going, the state was notified of the proposed rezoning and no comments have been received. TxDOT improvements include a 10-foot sidewalk on the east side of SH 317. According to TxDOT, the SH 317 improvements include widening from two lanes to four lanes with, two lanes in each direction, with a raised center median. Specifically related to this rezoning, median breaks will be provided at Hogan Road, Oak Hills Road and Poison Oak Road. A plan view section of the section closest to the subject property is attached.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available through the extension of an existing eight inch sewer line in Oak Hills Drive. On October 26, 2017, Bell County Health Department issued a letter authorizing the use of the existing septic for an office use with a maximum of three employees. Water is available through an existing two inch water line in SH 317. While, according to the Public Works Department, the two inch water line will be adequate for the proposed office use, the necessity to upsize the water line will need to be re-evaluated with any future expansion to the property. Evaluation will be through the platting process.

Temple Trails Master Plan Map and Sidewalks Ordinance

A proposed local connector trail is shown on the Trails Master Plan. SH 317, as an arterial requires a 6-foot sidewalk. Compliance with the Trails Master Plan and sidewalks will be addressed during the plat process. However, the City of Temple has agreed to fund the upsizing of a new sidewalk designed by TxDOT, from six feet to 10-feet, to comply with the Trails Master Plan.

**DEVELOPMENT REGULATIONS:** The attached tables compare and contrast, the current development standards between AG and NS as provided for in UDC Section 4.5. A table with traffic counts associated with select NS & GR uses has also been attached.

**PUBLIC NOTICE:** Four notices to property owners, were sent to property owners within 200-feet of the subject property containing notice of the public hearing as required by State law and City Ordinance. As of Monday March 26, 2018 at 9:00 AM, one notice in agreement, two notices in disagreement and one notice from outside of the notification boundary, for a total of four notices have been received. Staff has calculated the land area within the notification boundary at 47.89% to be in opposition. Since the initial rezoning request for GR & MF-1 has been advertised, per UDC Section 3.4.4, a 4/5<sup>th</sup> vote by City Council has been triggered in order to approve the request.

The newspaper printed notice of the public hearing on February 22, 2018, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Survey Map & Field Notes (Exhibit A)

Bell County Septic Letter (dated October 26, 2017)

Photos

Maps

Tables

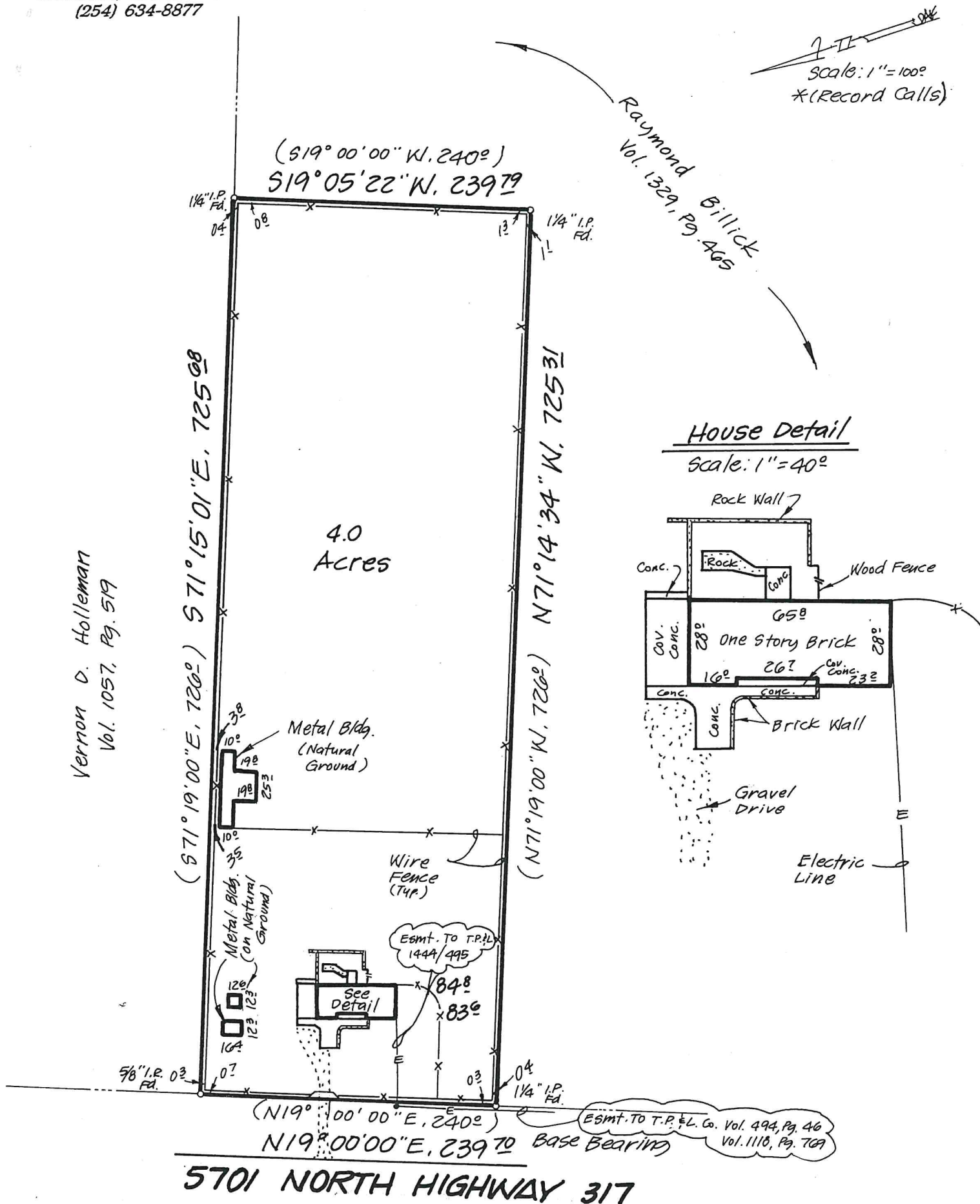
TxDOT Plan View Maps (Hogan Road to Oak Hills Drive)

Returned Property Notices

P&Z Excerpts (March 5 & 19, 2018)

Ordinance

# EXHIBIT A



4.0 acres, part of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas. Bearings are based on recorded deed in Volume 1139, Page 321, Deed Records of Bell County, Texas.  
**SEE ATTACHED LEGAL DESCRIPTION.**

STATE OF TEXAS \* KNOW ALL MEN BY THESE PRESENTS, that I, BRUCE M. HARMON  
COUNTY OF BELL \* Registered Professional Land Surveyor, do hereby certify that I did  
cause to be surveyed on the ground the tract shown hereon. This  
document is not valid without original signature.

IN WITNESS THEREOF, my hand and seal this the 14th day  
of October, 2003.



*Bruce M. Harmon*  
Bruce M. Harmon  
Registered Professional Land Surveyor, No. 4482  
© Copyright



**HARMON AND ASSOCIATES  
105 W. VETERANS MEMORIAL BLVD  
KILLEEN, TEXAS 76541  
(254)634-8877**

**LEGAL DESCRIPTION** for a tract of land in Bell County, Texas, part of the Baldwin Robertson Survey, Abstract No. 17, and being the same tract described as 4.0 acres in a Deed to Z. L. Lewis recorded in Volume 1139, Page 321, Deed Records of Bell County, Texas.

**BEGINNING** at a 5/8" iron rod found in the east right of way line of North Highway 317 being the southwest corner of the Vernon D. Holleman tract recorded in Volume 1057, Page 519 and the northwest corner of the Lewis tract, for the northwest corner of this.

**THENCE** S. 71 deg. 15' 01" E., 725.68 feet (S. 71 deg. 19' 00" E., 726.0 feet) to a 1-1/4" iron pipe found in the south line of the Holleman tract being a corner of the Raymond Billick tract recorded in Volume 1329, Page 465 and the northeast corner of the Lewis tract, for the northeast corner of this.

**THENCE** S. 19 deg. 05' 22" W., 239.79 feet (S. 19 deg. 00' 00" W., 240.0 feet) to a 1-1/4" iron pipe found being an ell corner of the Billick tract and the southeast corner of the Lewis tract, for the southeast corner of this.

**THENCE** N. 71 deg. 14' 34" W., 725.31 feet (N. 71 deg. 19' 00" W., 726.0 feet) to a 1-1/4" iron pipe found in the east right of way line of North Highway 317 being the northwest corner of the Billick tract and the southwest corner of the Lewis tract, for the southwest corner of this.

**THENCE** N. 19 deg. 00' 00" E., 239.70 feet (N. 19 deg. 00' 00" E., 240.0 feet - Base Bearing) with the east right of way line of North Highway 317 to the place of beginning containing 4.0 acres of land, according to my Survey and my Calculations.

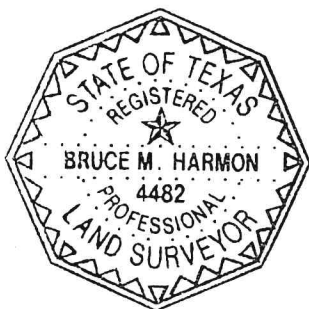
The bearings of this Legal Description are based on the west line of the tract described as 4.0 acres in a Deed to Z. L. Lewis recorded in Volume 1139, Page 321, Deed Records of Bell County, Texas.


----See attached Plat-----

\*\*\*\*\*

**STATE OF TEXAS \* KNOW ALL MEN BY THESE PRESENTS, that I, BRUCE M. HARMON**  
**COUNTY OF BELL \* Registered Professional Land Surveyor, do hereby certify that I did cause**  
**to be surveyed on the ground the above described tract. This document is**  
**not valid without original signature and is valid for a period of 90 days after**  
**the date shown below.**

**IN WITNESS THEREOF, my hand and seal, this the 14th day of October, 2003.**



  
**Bruce M. Harmon**  
**Registered Professional**  
**Land Surveyor No. 4482**  
© Copyright

**EXHIBIT A**





## BELL COUNTY PUBLIC HEALTH DISTRICT

October 26, 2017

Cy Long  
5701 Highway 317  
Belton TX 76513

**RE: On Site Sewage Facility (OSSF) / B Robertson Survey, Abs. 18, 4 Acres**

Dear Mr. Long:

The Bell County Public Health District has received your request to convert this two bedroom home with an existing OSSF in place into a small business (Title Company) with no food being sold and with no more than three (3) employees working at this location at one time.

This address is permitted for a 750 gallon tank and 522 square feet of drainfield which allows 180 gallons per day. Attached is a copy of your septic permit.

The Health District will document that this two bedroom home will convert into a small business. If you have any septic issues in the future, please contact a septic professional.

Sincerely,

KENT STEPHENS, R.S.

Environmental Health Supervisor

TEMPLE OFFICE (254) 778-4766  
TEMPLE FAX (254) 778-2912  
509 SOUTH 9TH ST.  
TEMPLE, TEXAS 76504

KILLEEN OFFICE (254) 526-8371  
KILLEEN FAX (254) 526-5343  
ENVIRONMENTAL HEALTH (254) 526-3197  
FAX (254) 526-3317  
309 NORTH 2ND ST. • KILLEEN, TX 76540

FOOD PROTECTION (254) 771-2106  
ENVIRONMENTAL HEALTH (254) 778-7557  
FAX (254) 778-8251  
410 COTTINGHAM ST.  
TEMPLE, TX 76504

# Site & Surrounding Property Photos



**Site: Existing (Unoccupied) Building  
(AG)**



**West: Looking Across SH 317 – Scattered SF Residences on Acreage  
(AG)**





**South: Existing SF Residence on Acreage  
(AG)**



**North – East side of SH 317 – Primarily Undeveloped (AG)**





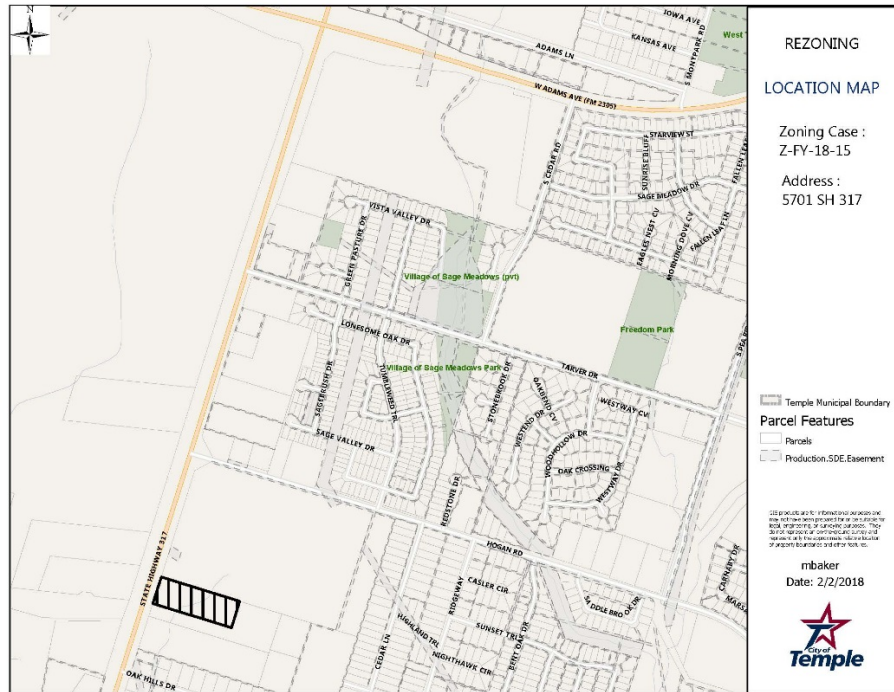
**East – Looking across Subject Property toward residence (Yellow Arrow) on adjacent tract (AG)**



**Aerial: Subject property in relation to adjacent residential dwelling - Note approximate distance is 150 feet (AG)**



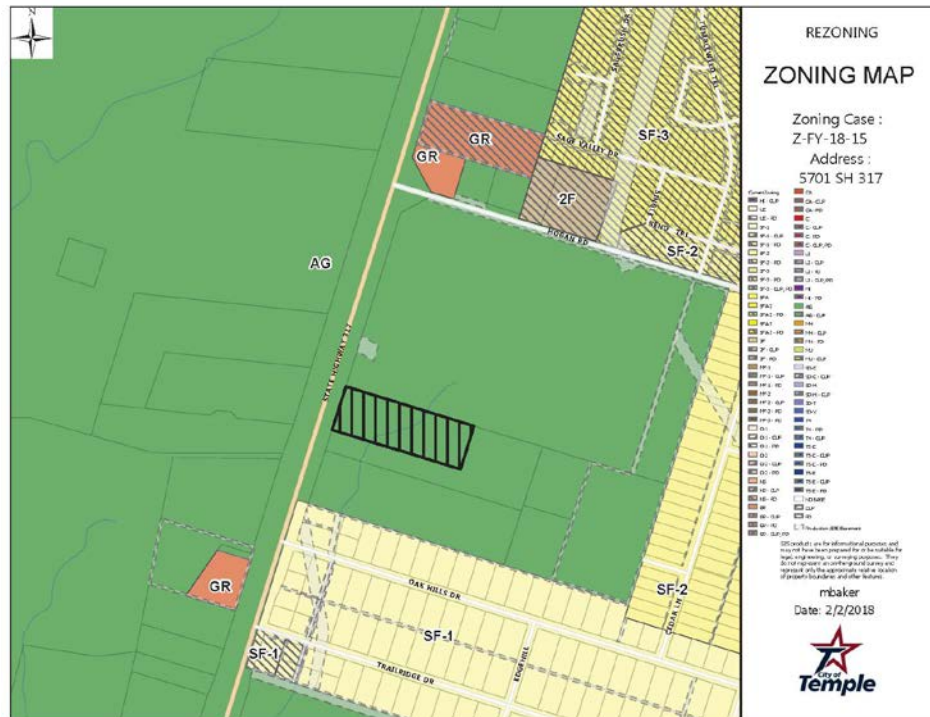
# Maps



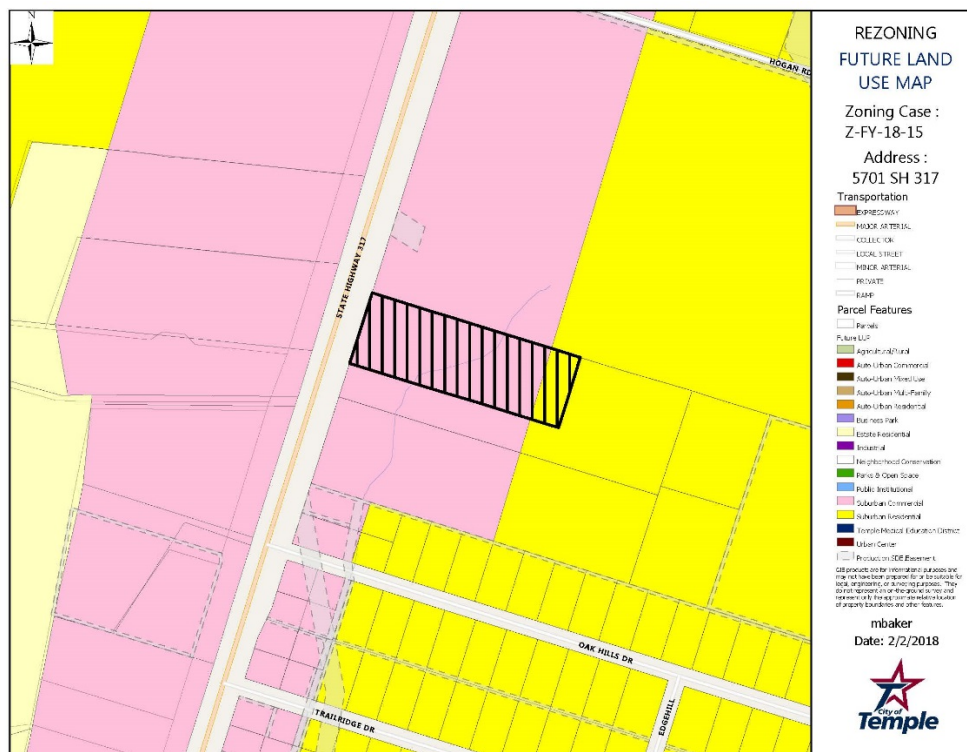
Location Map



Aerial Map

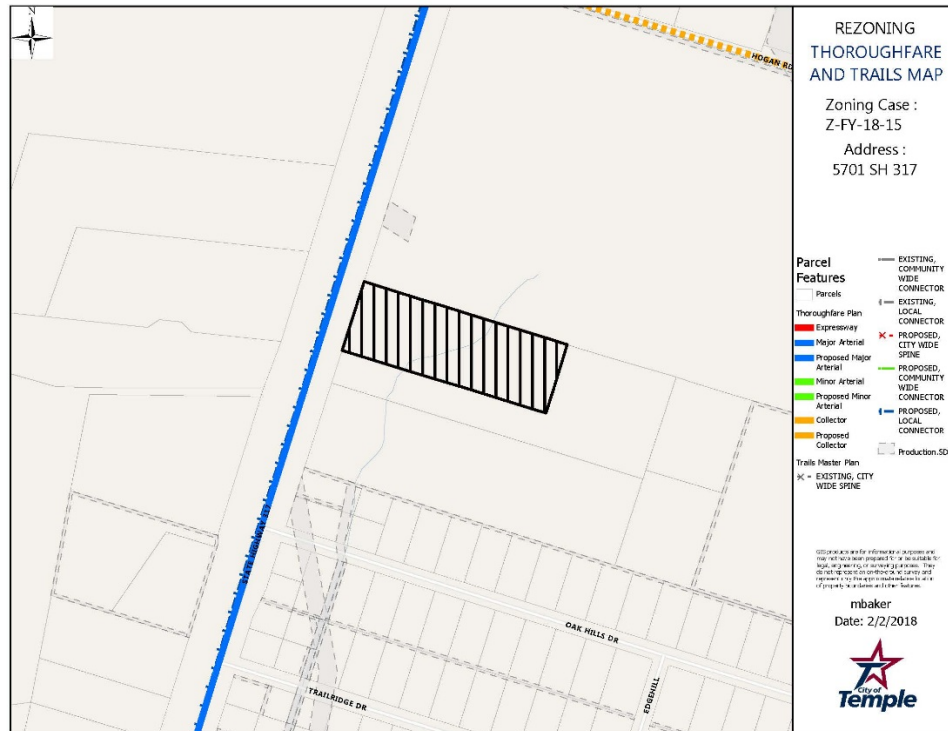


**Zoning Map**

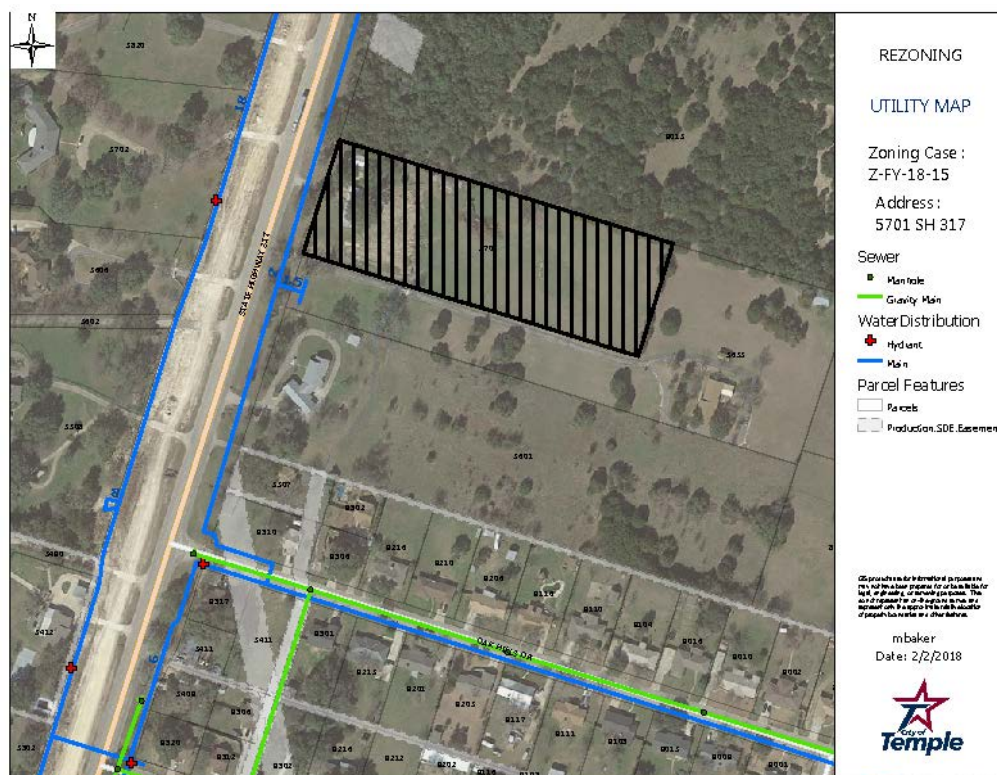


**Future Land Use Map**

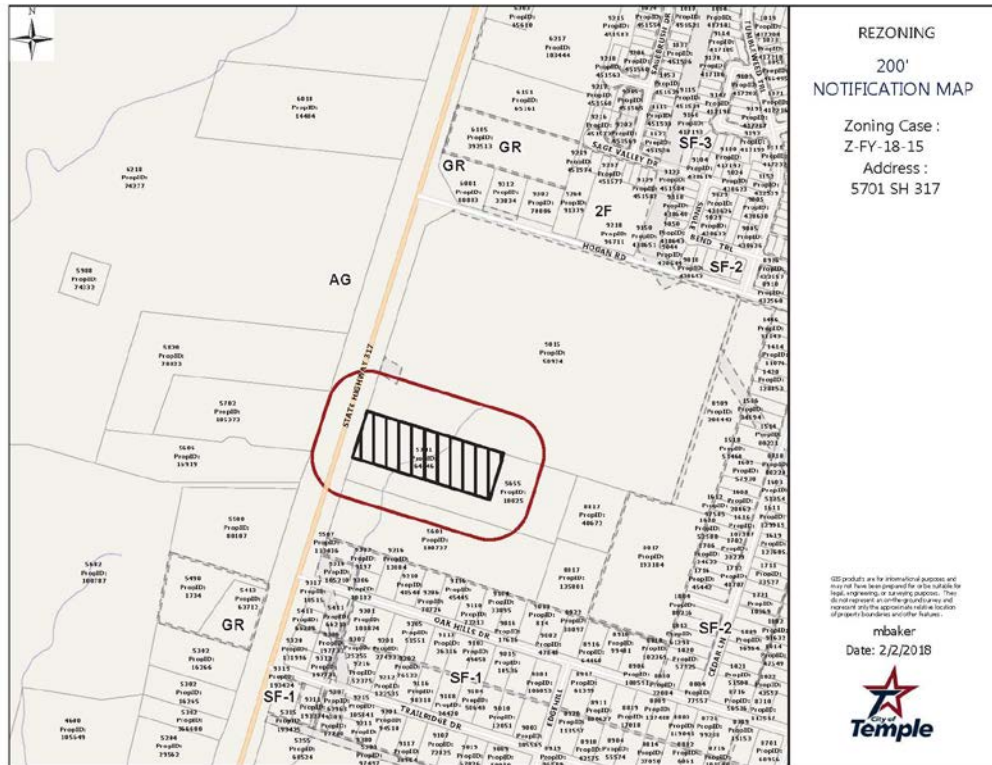




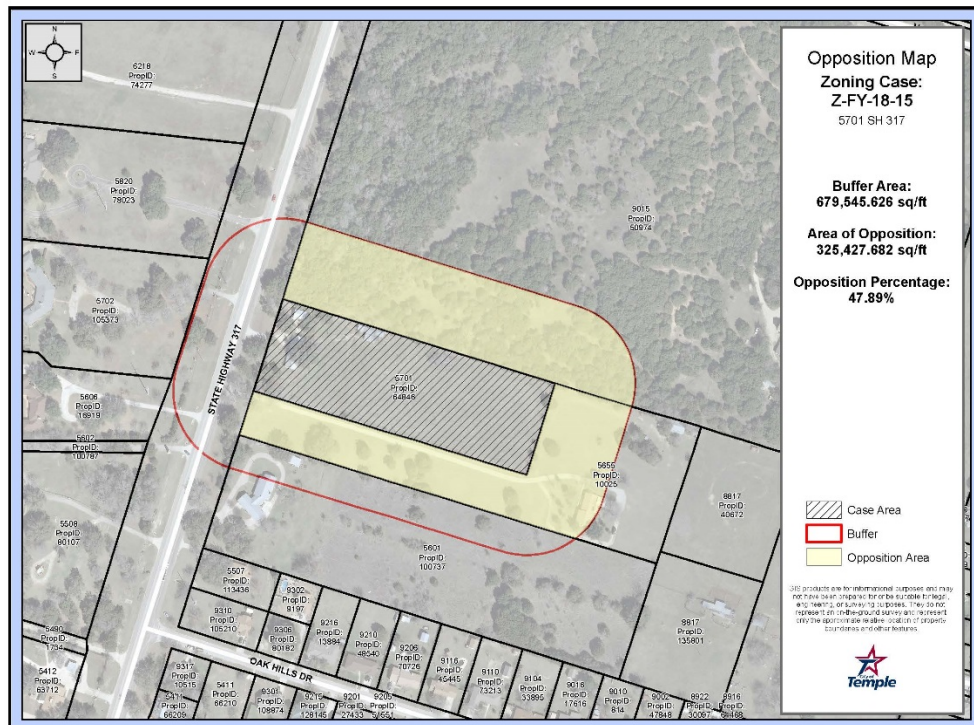
**Thoroughfare & Trails Map**



**Utility Map**



Notification Map



Opposition Map



# Tables

## Permitted & Conditional Uses Table Comparison between AG, GR & NS

Use Type	Agricultural (AG)	Neighborhood Service (NS)	General Retail (GR)
Agricultural Uses	Farm, Ranch or Orchard	Same as AG	Same as AG
Residential Uses	Single Family Residence (Detached & Attached) Industrialized Housing Family or Group Home Home for the Aged (CUP)	Single Family Detached & Attached Only Industrialized Housing Townhouse (1) No Apartment No Triplex No Duplex (2) Family /Group Home (CUP)	Single Family Residence (Detached & Attached) Duplex Townhouse Industrialized Housing Family or Group Home Home for the Aged
Retail & Service Uses	None	Most Retail & Service Uses Beer & Wine Sales, off-premise consumption (CUP)	Most Retail & Service Uses Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)
Commercial Uses	None	None	Plumbing Shop Upholstery Shop Kennel without Veterinary Hospital (CUP) Indoor Flea Market
Office Uses	None	Office Uses	Office Warehouse (CUP)
Industrial Uses	Temporary Asphalt & Concrete Batching Plat (CUP)	Same as NS Laboratory, medical, dental, scientific or research (CUP)	Same as NS Recycling collection location
Recreational Uses	None	Park or Playground	Same as NS Beer & Wine (On Premise Consumption) < 75%
Vehicle Service Uses	None	Fuel Sales (CUP)	Auto Leasing, Rental Auto Sales - New & Used (outside Lot) Car Wash Vehicle Servicing (Minor)
Restaurant Uses	None	Restaurant - No Drive-In	With & Without Drive-In
Overnight Accommodations	RV Park (CUP)	None	Hotel or Motel

(1) & (2) shown on next page

- (1) A Townhouse is a structure on an individual lot, that is one of a series of three or more dwelling units designed for single-family occupancy structurally connected or immediately adjacent to and abutting each other between individual dwelling units
- (2) A Duplex is a detached building designed and constructed within two separate living units under a single roof for occupancy of two families.

### Surrounding Property Uses

	<u>Surrounding Property &amp; Uses</u>		
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Commercial / Suburban Residential	AG	Single Family Residence on Acreage
North	Suburban Commercial / Suburban Residential	AG & GR	Scattered SF Uses on Acreage
South	Suburban Commercial / Suburban Residential	AG & SF-1	Scattered SF Uses on Acreage
East	Suburban Commercial / Suburban Residential	AG & SF-2	Scattered SF Uses on Acreage
West	Suburban Commercial	AG	Scattered SF Uses on Acreage

### Comprehensive Plan Compliance

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

**Dimensional Standards**  
(Revised with NS Standards)

	<b><u>Current (AG)</u></b> <b><u>Residential</u></b>	<b><u>(GR)</u></b> <b><u>Non-Res</u></b>	<b><u>Recommended (NS)</u></b> <b><u>Non-Residential</u></b>
Minimum Lot Size	1 Acre	N/A	N/A
Minimum Lot Width	100 Feet	N/A	N/A
Minimum Lot Depth	150 Feet	N/A	N/A
Front Setback	50 Feet	15 Feet	15 Feet
Side Setback	15 Feet	10 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet	15 Feet
Rear Setback	10 Feet	❖ 10 Feet	❖ 10 Feet
Max Building Height	3 Stories	3 Stories	2 ½ Stories

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

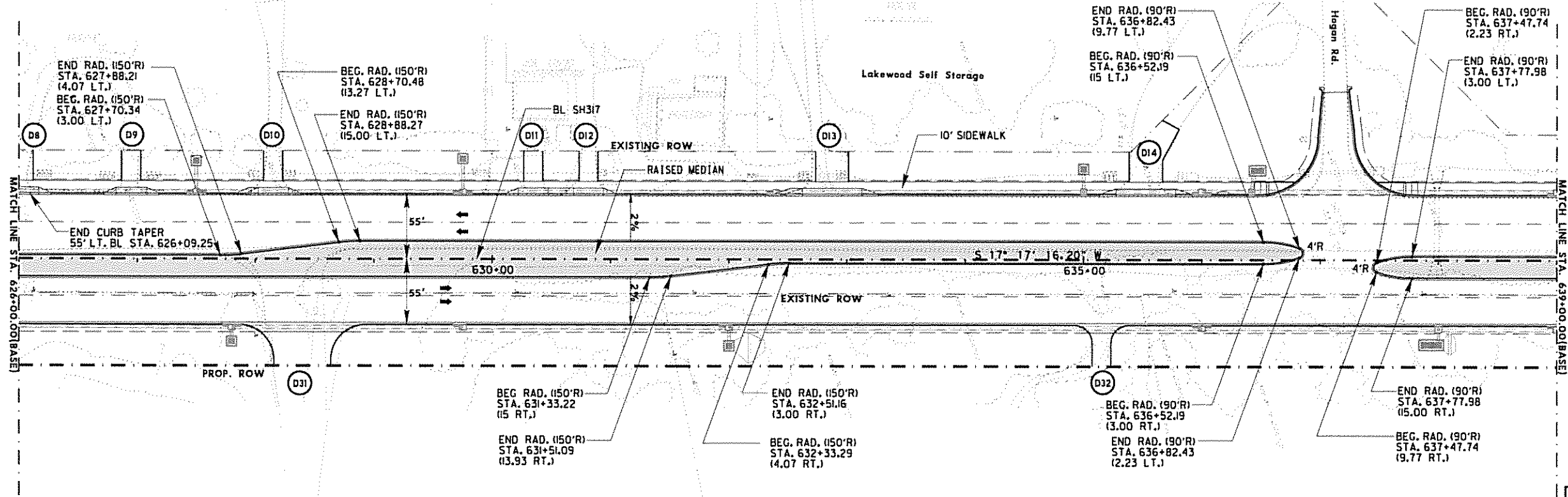
General provisions for buffering and screening for non-residential uses adjacent to residential uses are found in UDC Section 7.7, highlighted provisions include but not limited to:

- \* 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).

**Traffic Count Information**  
**Select - NS & GR Permitted & Conditional Uses**

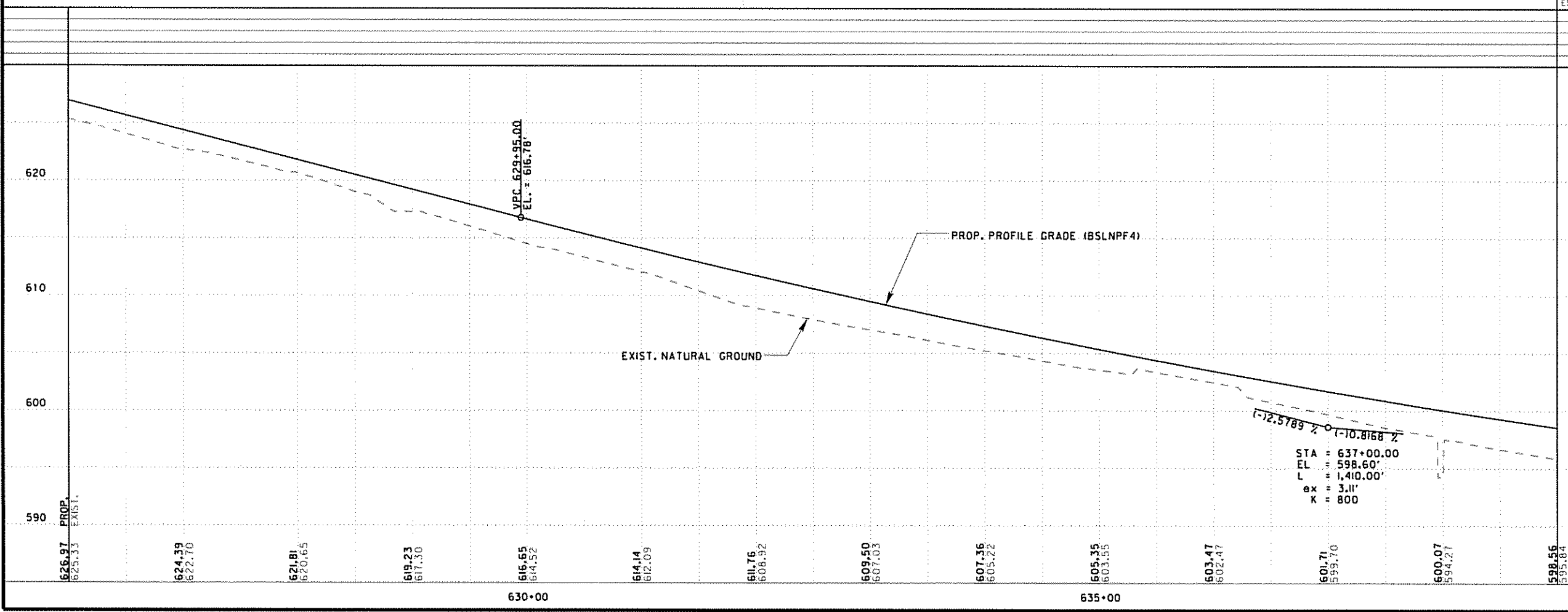
<b>Peak Hour Trip Rates Table (9th Ed. ITE Manual)</b>	
<b>Use</b>	<b>Peak Hour Trip Rate</b>
<b>Single Family (Detached) Residence</b>	<b>1.00 (per Dwelling Unit)</b>
<b>Townhouse</b>	<b>0.52 (per Dwelling Unit)</b>
<b>Assisted Living Facility</b>	<b>0.22 (per Bed)</b>
<b>Congregate Care</b>	<b>0.17 (per Dwelling Unit)</b>
<b>General Office Building</b>	<b>1.49 (per 1,000 S.F.)</b>
<b>Hair Salon</b>	<b>1.93 (per 1,000 S.F.)</b>
<b>Gasoline Service Station / with Convenience Store &amp; Fuel Pumps</b>	<b>13.51 (per Fueling Station)</b>
<b>Gasoline Service Station / Convenience Store / Fuel Pumps / Car Wash (GR Use)</b>	<b>13.94 (per Fueling Station)</b>
<b>Fast Food Restaurant (No Drive-Thru)</b>	<b>26.15 (per 1,000 S.F.)</b>
<b>Restaurant w/ Drive Thru (GR Use)</b>	<b>33.84 (per 1,000 S.F.)</b>
<b>Restaurant (Sit Down)</b>	<b>11.15 (per 1,000 S.F.)</b>
<b>Bank</b>	<b>12.13 (per 1,000 S.F.)</b>
<b>Variety Store</b>	<b>6.82 (per 1,000 S.F.)</b>
<b>Free Standing Discount Store</b>	<b>4.98 (per 1,000 S.F.)</b>
<b>Arts &amp; Crafts Store</b>	<b>6.21 (per 1,000 S.F.)</b>
<b>Hotel (GR Use)</b>	<b>0.60 (per Room)</b>
<b>Motel (GR Use)</b>	<b>0.47 (per Room)</b>
<b>Bar (GR Use with CUP)</b>	<b>11.34 (per 1,000 S.F.)</b>





BM H-122  
PK NAIL 12.3' LT. SH317BL  
STA. 637+14.05, EL. = 601.05  
4.54' INSIDE EDGE OF EXIST. RT. SHOULDER

SHEET TOTALS		UNIT	DESCRIPTION
EST.	FINAL		



© 2015 Texas Department of Transportation

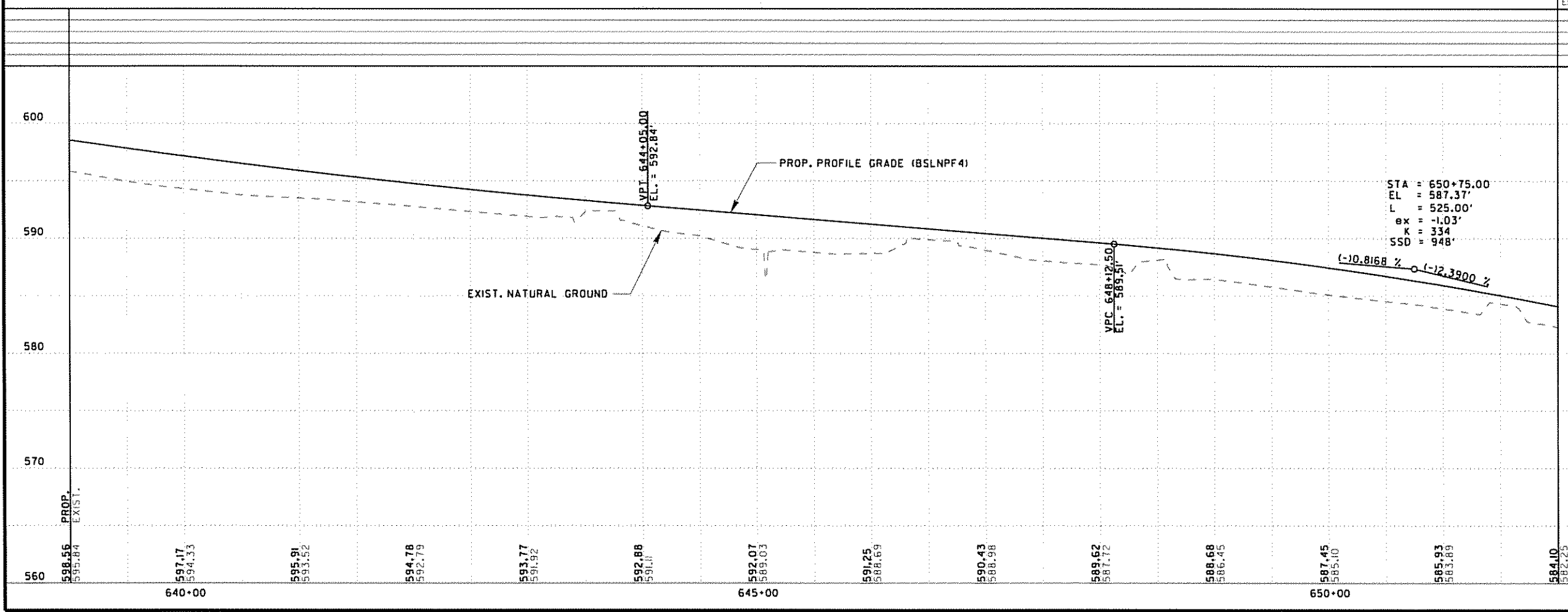
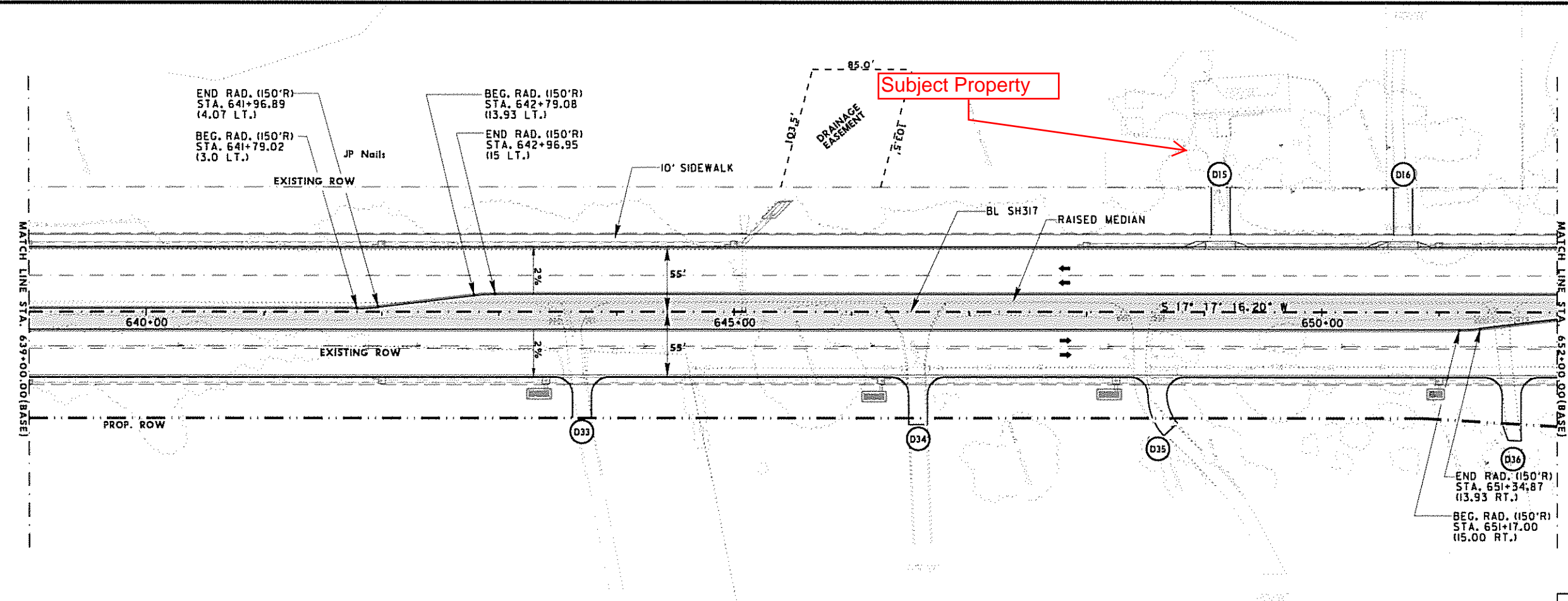


The seal appearing on this document was authorized by DON L. MILLER, P.E. 70906, on 3/11/15

**SH 317**  
PLAN AND PROFILE SHEET  
(BASELINE)  
STA. 626+00.00  
TO  
STA. 639+00.00

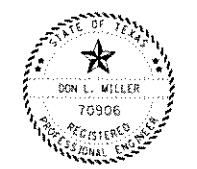
0 25 50 100  
SCALE: 1" = 100' HORIZ.  
1" = 10' VERT.

SHEET 3 OF 14			
FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.	
6		100	
STATE	DIST.	COUNTY	
TEXAS	WACO	BELL	
CONT.	SECT.	JOB	HIGHWAY NO.
0398	04	059	SH 317



SHEET TOTALS			
EST.	FINAL	UNIT	DESCRIPTION

© 2015 Texas Department of Transportation



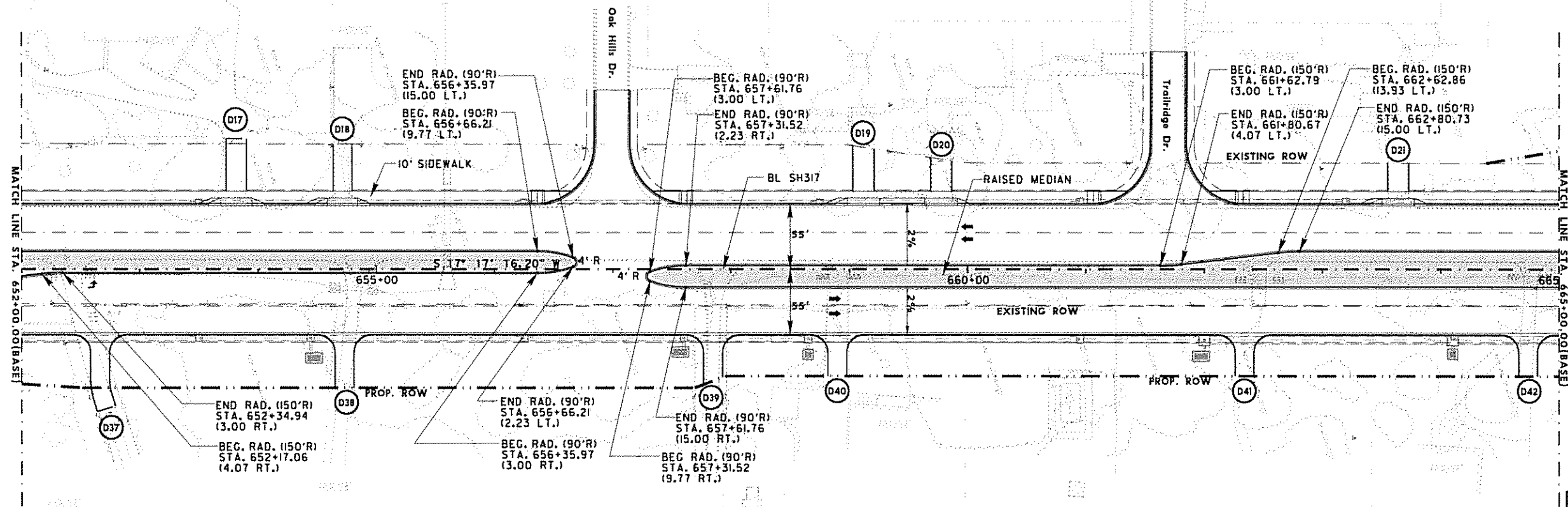
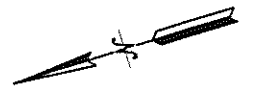
The seal appearing on this document was authorized by DON L. MILLER P.E. 70906, on

*Don L. Miller, P.E.*  
3/11/15

**SH 317**  
**PLAN AND PROFILE SHEET**  
**(BASELINE)**  
STA. 639+00.00  
TO  
STA. 652+00.00

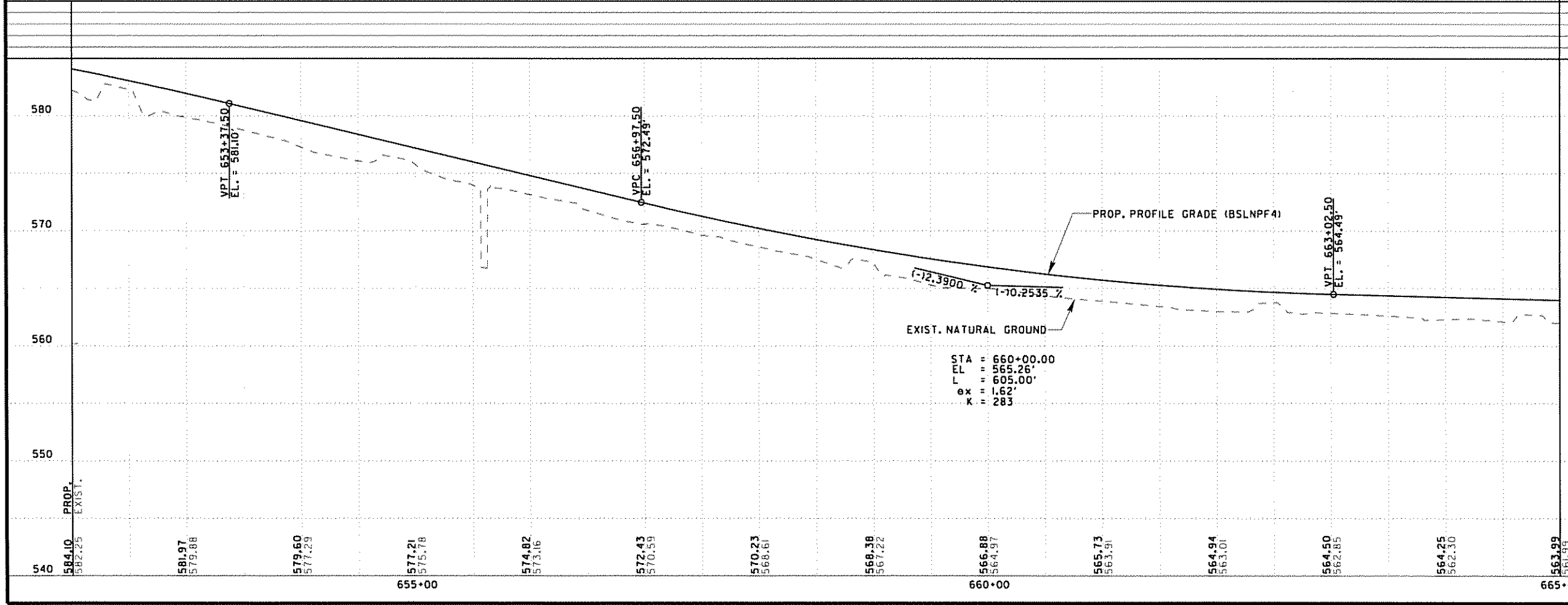
0 25 50 100  
SCALE: FEET  
0 2.5 5 10  
SCALE: 1" = 100' HORIZ.  
1" = 10' VERT.

SHEET 4 OF 14			
FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.	
6		101	
STATE	DIST.	COUNTY	
TEXAS	WACO	BELL	
CONY.	SECT.	JOB	HIGHWAY NO.
0398	04	059	SH 317



BM H-188  
PK NAIL 12.97' LT. SH317BL  
STA. 655+60.06, EL. = 575.13  
5.27' INSIDE EDGE OF EXIST. RT. SHLDR

SHEET TOTALS		EST. FINAL		UNIT	DESCRIPTION



© 2015 Texas Department of Transportation



The seal appearing on this document was authorized by  
DON L. MILLER  
P.E. 70906, on  
*Don L. Miller, P.E.*  
3/11/15

**SH 317**  
**PLAN AND PROFILE SHEET**  
**(BASELINE)**  
STA. 652+00.00  
TO  
STA. 665+00.00  
SCALE: 1" = 100' HORIZ.  
1" = 10' VERT.

SHEET 5 OF 14		FED. AID PROJECT NO.		SHEET NO.
6				102
STATE	DIST.	COUNTY		
TEXAS	WACO	BELL		
CONT.	SECT.	JOB	HIGHWAY NO.	
D39B	D4	059	SH 317	



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

BILLECK, MARY BETH  
5655 STATE HWY 317  
BELTON, TX 76513

*Phone Number:*  
*(254) 760-5001*

**Zoning Application Number:** Z-FY-18-15

**Case Manager:**

**Mark Baker**

**Location:** 5701 State Highway 317, 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:**

*Attached*

**RECEIVED**

**MAR - 1 2018**

City of Temple  
Planning & Development

*Mary Billeck*  
Signature

*Mary Billeck*  
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](mailto:mbaker@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 4

Date Mailed: February 22, 2018

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



I oppose rezoning the land for commercial and/or multi-family homes because the land is not conducive to this type of development given its size, topography, density, and material inconsistency between the proposed development and the current existing surrounding properties. First, the property is a relatively thin strip of land totaling approximately 4 acres. It already has a home, a small barn and a garage/work building. There is limited room to add additional commercial buildings, multi-family homes, and the infrastructure necessary to properly support these buildings without substantially overcrowding and over-populating the property. Additionally, the traffic on Highway 317 at that location, given the already densely populated subdivisions and other homes, as well as the high volume of traffic on Highway 317, would further exacerbate the traffic problem. This is particularly true as there is no direct access across the proposed median on Highway 317 to allow entry onto this property, as a commercial property, from the southward flowing traffic. Additionally, a portion of the property is at a lower elevation and has significant flooding and water flow problems that have already impacted my property and likely would increase with additional proposed development. The fill dirt that has been added to this property in the last year or so has caused me problems during heavy rains. The fill dirt is full of rocks, wood, and debris. When we have heavy rains, this washes onto my land. I have to pick it up in order to mow. Also, it fills up the tin horns that I have under my road for the water to go through. I have had to clean them out several times from all the material that has washed over from the fill dirt. Finally,

retail businesses, and in particular multi-family homes, would be entirely inconsistent with the properties surrounding the subject tract. In particular, my home, which is approximately 100 feet from the proposed multi-family project, would be substantially and materially impacted by the development of multi-family homes essentially in my front yard. Similarly, there are no other multi-family homes anywhere surrounding the subject property. Approval of a plan that materially impacts my property, as well as the properties of others surrounding the subject tract, would harm me and the homes on the surrounding properties and effectively amount to a taking of our property.

THANK YOU FOR YOUR TIME



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

HOLLEMAN, VERNON D  
9015 HOGAN RD  
TEMPLE, TX 76502-5117

**Zoning Application Number:** Z-FY-18-15

**Case Manager:** Mark Baker

Location: 5701 State Highway 317, 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 strongly disagree with this request. There is little room for multiple family housing and the drainage is a problem. There is no other access to the highway or property.

**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](mailto:mbaker@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

**RECEIVED**

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

MAR - 2 2018

City of Temple  
Planning & Development

Number of Notices Mailed: 4

Date Mailed: February 22, 2018

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



# SUPPLEMENT TO RETURNED RESPONSE LETTER

**From:** [Vernon Holleman](#)  
**To:** [Mark Baker](#)  
**Subject:** Zoning Application Number: Z-FY-18-15  
**Date:** Sunday, March 04, 2018 6:04:30 PM

---

My wife and I have already responded with a disagreement to the proposed zoning changes for the property adjacent to the area in review which is surrounded on the north by the Buffalo Oak Farm and on the East and South by Mrs Billeck and on the West by highway 317.

Our major disagreement is in regards to the proposal for Multiple Family 1 (MF-1) category usages.

I feel confident that if the City Planning Commission examines the geography and other potential disasters it will become obvious to them that this is not a satisfactory location for Multiple Family units and will be a liability for the City and for the Highway 317.

I am confident that you have it memorized but I will quote the CI.Temple.Tx. US zoning code Article 4.3.11 MF-1 Multiple Family Dwelling 1 which reads. The Multiple Family Dwelling 1 zoning district permits typical garden apartment development of one to two stories, allowing approximately 15 units per acre and is intended to be located near and reasonably accessible to , collectors and arterial s, due to traffic generating capacity of medium density multiple family dwellings.

The commission is challenged with careful study of such proposal to avoid errors of the past.

The geography of the proposed tract of land does will not permit reasonable fulfillment of the requirements of Article 4.3.11.. Careful hands on hands inspection of the acreage and surrounding areas should be personally made by members of the committee or other experts. The house near the Highway on the property sits at a much higher level than the area below it. I purchased my property the Buffalo Oak Farm about fifty years ago and I have seen the evolution of the highway development and have communicated with surveyors, geology experts and multiple highway officials . I have always had concerns about the water drainage from the West, from the West to the East of Highway 317. They have repeatedly ad firmly assured me that that is the natural water flow and cannot be completely changed.

Highway 317 is now in final stages of completion. I was required to give an easement for water drainage near the south corner of my property on 317. I was there last week end and see there is a four foot drain pointing to that easement area. If your look on the rezoning map you sent you can see a faint dotted line indicating the easement area. It looks like they have drains on each side of the highway so it remains to be seen how much drainage there will be to that easement area and how much flow will be diverted from what has been referred to by the experts as a natural drainage which goes through the back of the proposed property and on into the Oak Hills area. In the past water has been as high as the back porch of the house on the property as told e by Mr. Lewis who owned the property years ago. Mrs Billick owns the road on the South Side of the property, her access from Highway 317. When the water flow was high you could not drive across the "river" which was created. There are culverts under her road at the low point to facilitate the flow of water and not wash out the road. Attempts to fill in the low spots behind the house on this property have caused silt and dirt to stop up the flow.



Access to this proposed area would have to be from the North going lane of 317. There would probably have to be a traffic light to accommodate the large number of cars. The Highway department would probably have to make a new Turn Around near the entrance. The traffic on 317 is already pretty bad "heavy".

Under this zoning there could be as many as 60 family units according to my "fuzzy math". It is my observation that it seems that everyone in such unit owns an automobile. Accommodations would have to be made for parking. The city would have to furnish trash containers and paper management containers. Pickup and delivery would be a problem for the City especially because entry and access for the garbage pickup trucks would be slow because of heavy traffic flow and limited access.

Arterial s would be a problem. The city as you know annexed many areas of farmland with their annexation into Temple and many areas still have septic tanks so this would be a very expensive enterprise and difficult because of the already made mention of the shape of the land.

I could go on. These are facts you probably already know. It is the responsibility of the City Planning Commission to make as good a decision as possible for the best interest of the City and its citizens and not be swayed by developers sometimes whose main objective is financial gain sometimes to expense of Citizens of the City and Community.

In Summary We object to the proposal for Multiple Family 1 (MF-1) classification construction. I hope that land use can be adjusted to a more reasonable classification.

Sincerely

Vernon D. Holleman  
9015 Hogan Road  
Temple , Texas 76502



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

James S + Donna J Gamrod  
5702 State Hwy 317  
Belton, TX 76513

**Zoning Application Number:** Z-FY-18-15

**Case Manager:**

**Mark Baker**

**Location:** 5701 State Highway 317, Temple, Texas

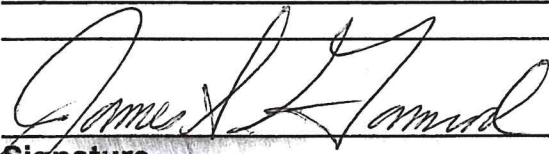
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I ( ) agree

☒ disagree with this request

**Comments:**

This should be single family housing like  
everything around



**Signature**

James S Gamrod

**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](mailto:mbaker@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

**RECEIVED**

MAR - 2 2018

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

City of Temple  
Planning & Development

**Number of Notices Mailed:** 4

**Date Mailed:** February 22, 2018

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

RECEIVED

MAR - 5 2018

City of Temple  
Planning & Development

BOOTH, WILLIAM K ETUX ANNE C  
2117 N 1ST ST  
TEMPLE, TX 76501-1758

**Zoning Application Number:** Z-FY-18-15

**Case Manager:**

**Mark Baker**

Location: 5701 State Highway 317, 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:**

---

---

---

---

*William K Booth*

**Signature**

*William K. Booth*

**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](mailto:mbaker@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 4

Date Mailed: February 22, 2018

**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 5, 2018**

**ACTION ITEMS**

**Item 4: Z-FY-18-15** – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) to General Retail (GR) and Multiple-Family Dwelling 1 (MF-1) on 4.0 +/- acres, located on the eastside of State Highway 317, approximately 1,100 feet south of its intersection with Hogan Road, addressed as 5701 State Highway 317.

Vice-Chair Langley and Commissioner Marshall abstained from this item.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on April 5, 2018 and second reading on April 19, 2018.

This is a rezoning request of AG to GR on three acres adjacent to SH 317 and MF-1 on one acre at the rear of the tract.

Some existing buildings are proposed to be converted to office uses and any additional uses, such as single family or multi-family uses, are proposed at a future time.

The future expansion requires a subdivision plat and that plat will also address:

- Access to any multi-family or residential units on the east side of property
- Density
- Drainage (Plat and Construction documents will address existing and post drainage conditions)
- TxDOT has issued a permit to expand the existing driveway from 16-feet to 24-feet
- Bell County Health Department has authorized use of existing septic for office use up to three employees

GR and MF-1 is proposed presently for office uses and multiple family uses (the MF uses would be in the future). GR is compatible and appropriate along State Highway 317. Multiple family or other residential uses would be appropriate toward the east and adjacent to existing residential uses.

The Future Land Use and Character Map designates the subject property as Suburban Commercial which is appropriate for retail and office uses, generally concentrated at intersections versus strip development along major roads. It also supports GR at certain locations on a case-by-case basis.

State Highway 317 is one of those conditions that does supports GR and multi-family uses.



Suburban Residential is identified for mid-sized single family lots (primarily SF-1 and SF-2). Designated acreage within the classification is not problematic to overall request for anticipated multi-family uses (less than one acre).

Water and sewer are in the vicinity of the property but would likely need to be extended for future development. The existing septic system is sufficient for office use up to three employees.

The Thoroughfare Plan designates State Highway 317 as a Major Arterial.

TxDOT improvements are on-going and include:

- 10-foot sidewalk on east side of State Highway 317

Trails:

- A proposed Local Connector Trail is addressed by the Trails Master Plan and would be addressed by the upsized sidewalk

- Sidewalk upsizing would be paid by City

- Sidewalk is designed by TxDOT

On-site photos shown.

Surrounding properties include undeveloped property to the north, and existing single family residences on acreage to the south, east, and west.

Comparison table between AG, GR and MF-1 uses (not all-inclusive) and Development standards shown.

Buffering and Screening standards would apply:

Per 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

Along the common boundary -Continuous buffer & screening is required:

- Between non-residential or multiple-family uses and an agricultural or residential zoning district or use

Four notices were mailed in accordance with all state and local regulations with one response returned in agreement and two responses returned in disagreement.

Since 47.89 percent of the land area is in opposition, a 4/5ths vote is required by City Council in order to approve this request.

This 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 subject property.

Staff recommends approval of the request for a rezoning from AG district to GR and MF-1 districts.

Chair Fettig opened the public hearing.

Ms. Shirley Holleman, 9015 Hogan Road, Temple, Texas, stated she owns 45 acres off of State Highway 317 with Longhorns on it. Her property also includes a wooded habitat area where some rare species of birds live. Ms. Holleman enjoys the wildlife and would like to keep it that way.

The subject property is not going to hold anything; there is no drainage or sewage lines and Ms. Holleman feels it is a bad idea. There is only a small area to go in and out.

Ms. Holleman strongly hopes the Commission will not approve this request.

Mr. Doug Holleman, 9015 Hogan Road, Temple, Texas, stated he oversees the property. Mr. Holleman stated the drainage problem there is severe and should be a deal killer.

Chair Fettig explained that all of this is seriously looked at by the Engineering/Public Works Department prior to approving any development.

Ms. Mary Billeck, 5655 State Highway 317, Temple, Texas, stated she lives to the south and east of the subject property. Ms. Billeck is concerned about increased traffic and does not want stores that sell alcohol nearby. The multi-family proposal will be located 100 feet from her house and the drainage is not good. When she moved out there she was told there was a fault line. When it rains, Ms. Billeck cannot leave her house because of all the water and has reoccurring issues with her tin horns filling up and not draining.

Mr. Jim Gamrod, 5702 State Highway 317, Temple, Texas, stated he lives directly across the street from the subject property. 317 does not have a center turn lane so cars will end up making U-turns. Mr. Gamrod cannot leave his driveway at 7:30 in the morning due to the traffic and afternoon traffic (5:00 to 5:30) is creating chaos trying to make a left turn. There is no additional access for the proposed project.

Mr. Gamrod feels this is a giant step backwards as far as traffic goes and should all be single family dwellings and the balance should be a park.

Ms. Sandra Mosby, 7805 Broken Spoke, Temple, Texas, stated 317 is one of the main roads to her subdivision meaning the traffic leaving her subdivision will need to turn around one way or the other to get onto 317. The traffic will only get worse.

Mr. Michael Allen, 3109 Las Cruces Blvd., Temple, Texas, stated he is a half-interest owner in the subject property and wanted to introduce himself. Mr. Allen wanted to assure the citizens that any future development would have the appropriate site work done as previously mentioned.

Currently, Mr. Allen only has plans to paint and put in new flooring and doors in order to remodel the existing building and get a tenant in there with an office. Any future development, even adding on to the existing building, will trigger a lot more work. Some blacktopping may need to be done for parking. The traffic flow should not be affected much by this remodel project.

Mr. Allen confirmed there are no real multi-family plans at this point for the one acre at the back of the property.

Chair Fettig asked about the preliminary cut outs on 317.

Ms. Mary Billeck returned to the podium and stated she spoke to the workers on 317 today and was told there would be curbs all the way and traffic would have to go to Hogan to turn around.

Mr. Allen commented they have the TxDOT plans and there is a median right where their entrance is and no turn around.

Ms. Holleman returned to the podium and challenged the Commission to travel 317 during 5:00 and 7:00 p.m. because you cannot get on the road or turn around anywhere.

Chair Fettig agreed since he travels the road quite often but stated TxDOT seems to be making some progress on the road. The City cannot build roads before you build houses/buildings.

Ms. Holleman added Hogan Road is about to be widened and will add to the problem. Apartments are proposed to go nearby and will add more traffic.

Mr. Gamrod returned and stated 2305 and 53 are built differently; you have turning lanes available. 317 has no turning lanes.

A school is proposed to be built on Poison Oak and has no road.

Mr. Gamrod is not aware of any multi-family projects south of 2305 and believes it is all single residential.

Mr. Chandler stated SH 317 is a TxDOT roadway and TxDOT has the ultimate decision on whether a Traffic Impact Analysis (TIA) would be required.

Mr. Dan Elrod, 5606 State Highway 317, Temple, Texas, just south of Mr. Gamrod and asked who determines where the restriction stops and who gets notified since only four people received a notice.

Mr. Chandler responded that it is a state statute and which the city has adopted and is a 200-foot notification. When it involves larger lots, which is the case here, it was only the four

individuals. Chair Fettig added that staff advertises in the newspaper and posts signs on the subject property.

Mr. Elrod stated he has contacted Representative Shine who referred him to other sources about the speed limit on 317. Mr. Elrod proposed the speed limit be reduced to 45 between the two bridges. Mr. Elrod agrees with Mr. Gamrod that when he leaves his house he has to go in the opposite direction to get out.

Mr. Elrod commented that marketability is also a problem since getting on 317 requires going in the opposite direction of where you want to go and with all of the projects proposed along 317, it will only get worse.

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

Mr. Allen confirmed that at this point they will have a small office building on the subject property and there are no current plans for the rest of the property.

A table was shown to see the uses allowed under GR and briefly discussed.

Rezoning options briefly discussed.

Mr. Chandler reminded the Commission they have the option to recommend a less intense zoning district, such as Office One (O-1).

Commissioner Crisp asked if the applicant would be interested in considering another zoning?

Mr. Allen returned to the podium and responded yes, the applicants would be acceptable to a different recommendation; however, the applicants have not researched other options.

Chair Fettig suggested Neighborhood Services (NS) which allows two and a half stories.

Mr. Allen stated he was willing to take recommendations from the P&Z Commission rather than delay the process for two more weeks.

The Commission wanted the applicants to have adequate time to discuss their options and recommended tabling the item. Mr. Allen was in agreement with that recommendation.

Commissioner Crisp made a motion to table Item 4, **Z-FY-18-15**, until March 19, 2018 P&Z meeting to allow the applicants to discuss options and Commissioner Castillo made a second.

*Motion passed: (6:0:2)*

Vice-Chair Langley and Commissioner Marshall abstained, Commissioner Ward absent.

Vice-Chair Langley and Commissioner Marshall returned to their seats.



**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, MARCH 19, 2018**

**ACTION ITEMS**

**Item 4: Z-FY-18-15** – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) to General Retail (GR) proposed for 3 +/- acres and Multiple-Family Dwelling 1 (MF-1) proposed for 1 +/- acre, located on the eastside of State Highway 317, approximately 1,100 feet south of its intersection with Hogan Road, addressed as 5701 State Highway 317.

Vice-Chair Langley and Commissioner Marshall both abstained from this item. Vice-Chair Langley also has another commitment and left for the day. Commissioner Marshall also left the meeting and did not return for closing comments.

Mr. Mark Baker, Senior Planner, stated this item was tabled at the March 5, 2018 meeting. This item is still on track to go forward to City Council for first reading on April 5, 2018 and second reading April 19, 2018.

Aerial map shown.

At the March 5, 2018 for P&Z, several topics were discussed:

- Traffic and Access

- Expansion and upgrades to existing utility facilities

- Undesired impacts associated with potential multi-family residential and non-residential uses

- Consideration to meet with staff to discuss alternatives and options

On March 13, 2018, Staff and applicant met on March 13, 2018 and the outcome was:

- Applicant agreed Neighborhood Service (NS) would replace GR

- Applicant withdrew the MF-1 portion of the request

- Revision would reduce acreage from four acres to the three (Western-most) acres

- Staff and Applicant are in agreement to all revision(s)

The existing building is proposed for three employee office building

- Potential for additional uses in the future

Any future expansion requires a subdivision plat. The plat will also address:

- Creation of single or multiple lots

- Upgrading or extension of existing utilities

During the March 5, 2018 P&Z meeting there was discussion regarding TxDOT State Highway 317 improvements. Mr. Baker showed some of the cross-sections that show the limited median breaks that would be provided as well as the expansion of the highway from two lanes to four lanes. The four lanes would provide for two northbound and two southbound lanes. The limited median breaks in the immediate area would include median breaks at Hogan, Oak Hills and Trail Ridge.

Comparison table of Standards and Uses for AG, NS and GR are shown.

Traffic Count Information for peak hour trip rates table is shown and briefly discussed.

For example, a gasoline service station convenience store would be permitted in NS by right. Fuel pump use would require a Conditional Use Permit (CUP) in NS.

Four notices were mailed in accordance with all state and local regulations with one response returned in agreement and two responses returned in disagreement.

The return notices provide for 47.89 percent of opposition which triggers UDC Sec. 3.4.4, 4/5ths vote required by City Council in order to approve.

Staff recommends approval of the revised request for a rezoning from AG District to NS District on three acres.

Chair Fettig opened the public hearing.

Ms. Mary Billeck, 5655 State Highway 317, Temple, Texas, stated she has property to the east and south of the subject property. Ms. Billeck does not want retail next to her property if possible.

Mr. Baker explains the notification process and opposition calculations.

Mr. Chandler added that the Code includes the right-of-way, so the 317 rights-of-way was included in the total amount.

Mr. Cy Long, 2003 Worth Lane, Salado, Texas, stated he was the property owner and feels they have tried to accommodate the feedback received from the last meeting.

Mr. Long was permitted for a 24-foot driveway by TxDOT over and above the 16-foot.

The current goal is to clean the house and surrounding area up and use it as a low-traffic office.

Mr. Long lived at the house for some time and does not feel the traffic will be impacted.

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

Commissioner Castillo made a motion to approve Item 4, **Z-FY-18-15**, per Staff recommendation, and Commissioner Walker made a second.

*Motion passed: (6:0:2)*

Vice-Chair Langleigh and Commissioner Marshall abstained

ORDINANCE NO. 2018-4906  
(Z-FY-18-15)

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 ACRES, LOCATED ON THE EAST SIDE OF STATE HIGHWAY 317, APPROXIMATELY 1,100 FEET SOUTH OF ITS INTERSECTION WITH HOGAN ROAD, ADDRESSED AS 5701 STATE HIGHWAY 317; 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: 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 a rezoning from Agricultural zoning district to Neighborhood Services zoning district on approximately 3 acres, located on the east side of State Highway 317, approximately 1,100 feet south of its intersection with Hogan Road, addressed as 5701 State Highway 317, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

**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 5<sup>th</sup> day of April, 2018.

PASSED AND APPROVED on Second Reading on the **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #5  
Regular Agenda  
Page 1 of 4

### **DEPT. / DIVISION SUBMISSION & REVIEW:**

Lynn Barrett, Assistant Planning Director

**ITEM DESCRIPTION:** SECOND READING – Z-FY-18-16: Consider adopting an ordinance authorizing a rezoning and site development plan on 81.00 +/- acres from Agricultural zoning district to Planned Development Single Family Two zoning district, addressed as 1810 South Pea Ridge Road in the Baldwin Robertson Survey, Abstract No. 17, Temple, Texas.

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

1. That the proposed Development Plan/Site Plan reflects compliance with the provisions of the Planned Development Criteria as required by Unified Development Code (UDC) Section 3.4.5;
2. The request is in compliance with the Future Land Use Map (FLUM) Suburban Residential designation and current adjacent subdivisions;
3. The proposed zoning is compatible with surrounding zoning;
4. The request complies with the Thoroughfare Plan and Trails Master Plan; and
5. Public facilities are nearby to serve the subject property.

### **PD Conditions:**

1. Substantial compliance with the attached Development Plan/Site Plan
2. 20' Front setbacks, 10' rear, 10' side setbacks street side, 5' side setbacks interior lots
3. Paved trail heads provided to adjacent city trails planned
4. No single residential lots with drive access onto realigned South Pea Ridge Road; shared drive if needed only with No Backing requirement
5. East of Pea Ridge realignment (approximately three acres), option of one or two family dwellings with two family only on minimum 60 foot wide lots
6. Maximum of 350 total lots
7. Sodded front yards
8. One tree in each front yard minimum 2" diameter at breast height
9. Minimum of three 5 gallon shrubs, five 1-gallon shrubs in front yard
10. Front facade of each structure will have a minimum of two architectural features of roof breaks, columns, gables, varied roof pitch, etc.

11. Each home facade is required to be a minimum of 80% masonry except for gables, dormers, eaves, overhangs, porches, etc.
12. Front facade to be a minimum of 50% masonry excluding hardie plank siding with same permitted exceptions as written above
13. Residential sidewalks as shown to be installed as homes are constructed. Sidewalk along South Pea Ridge portion will be built along with oversizing the roadway to collector standards.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their March 5, 2018 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the rezoning to PD SF-2 with development/site plan per staff's recommendation.

**ITEM SUMMARY:** The applicant, WBW, is owner of the 81 acres and is proposing development of the subject property with future plans for an accompanying land swap of a comparably sized parcel of city adjacent property with acreage it owns to provide parkland for the additional connecting portion of drainage areas at the east side of their tract. This will require an additional PD amendment to add the swapped portion prior to development. Additionally, the developer will participate in realigning South Pea Ridge Road through their property. The PD request currently is just for the property the applicant currently owns. Consideration of the land swap is proposed for the April 19<sup>th</sup> Council agenda.

Per UDC Section, 3.4.3.A, a PD is subject to review and approval by City Council and requires a binding site plan. In this case, the proposal would include a future amendment to add additional property to the development.

As required by UDC Section 3.4.2 B, the Development Plan/Site Plan for the proposed PD was reviewed by the Development Review Committee (DRC) on February 20, 2018. Site characteristics, proposed land swap and history of the property were discussed.

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

Direction	FLUP	Zoning	Current Land Use
<b>Subject Property</b>	<b>Suburban Residential</b>	<b>AG</b>	<b>Old homestead, ranchland</b>
North	Suburban Residential and Parkland/Open Space	AG & PD SF-1	Residential
South	Suburban Residential	AG	Undeveloped
East	Suburban Residential	AG, PD - 2F, SF-2	Residential, Undeveloped
West	Suburban Residential	SF-2	Residential

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

Document	Policy, Goal, Objective or Map	Compliant?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

*CP = Comprehensive Plan    STP = Sidewalk and Trails Plan*

**Future Land Use Map (CP Map 3.1)**

In the FLUM, the subject property is designated as the Suburban Residential character district. This district is intended for residential subdivisions of medium density as represented by this PD.

The proposal is in compliance with the FLUM and adjacent current zoning.

**Thoroughfare Plan (CP Map 5.2)**

The subject property takes access from South Pea Ridge Road, which is designated as a collector in the Thoroughfare Plan and will be realigned in compliance with engineering best practices for a curvilinear route through the subject property. The upsizing of pavement width from a local subdivision street to the collector cross section is proposed to be completed by the developer and cost-shared with the city.

**Availability of Public Facilities (CP Goal 4.1)**

Water and Sewer are available to service the subject property.

**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.”

**PUBLIC NOTICE:** Fifty-one notices were mailed to property owners within the 200 feet buffer area of the subject property. The notices included information on the public hearing as required by State Law and City Ordinance. As of noon on Tuesday, March 20th, 2018, 10 notices in disagreement; and four in agreement (two from property owner) were returned. Disagreement response totals less than 9% of the buffer area. Additionally, eight neighbors living outside the 200 feet buffer area sent in disagreement responses.

The newspaper printed notice of the public hearing on February 22, 2018 in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Development/Site Plan](#)

[Aerial Map](#)

[Utility Map](#)

[Zoning Map](#)

[Site Photos](#)

[Future Land Use and Character Map](#)

[Thoroughfare & Trails Map](#)

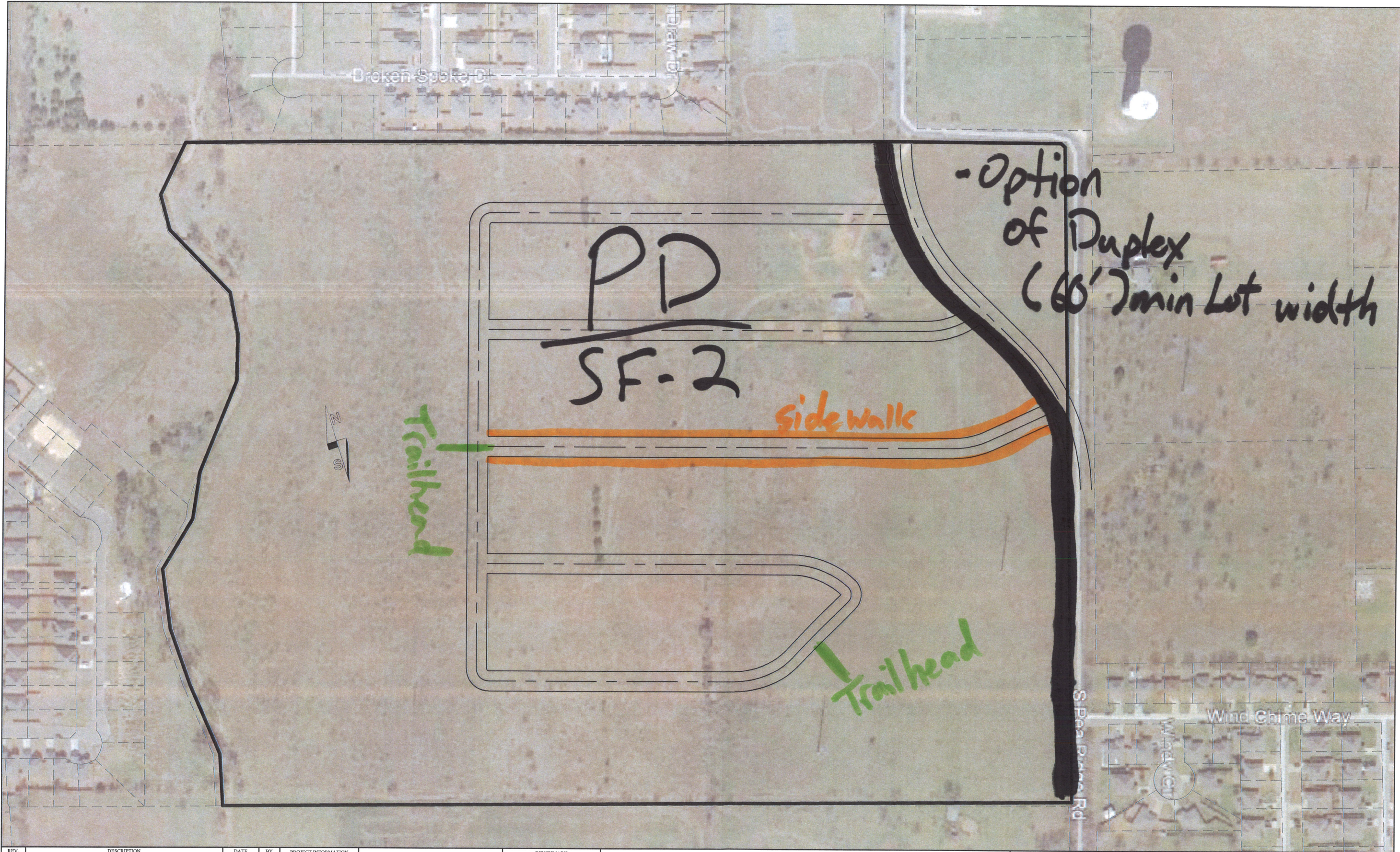
[Notification Map](#)

[Returned Property Notices](#)

[Area neighbor responses](#)

[Ordinance](#)





REV.	DESCRIPTION	DATE	BY	PROJECT INFORMATION	BENCHMARK	GOV'T RELEASE	ENGINEER'S APPROVAL	Yalgo, LLC	SHEET
1	ORIGINAL RELEASE	XX-XXX-XX	XXX	TOTAL SIZE: ? TOTAL BLOCKS: ? TOTAL LOTS: ? TOTAL TRACTS: ?	Benchmark location ELEV: xxxx	RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS. RECOMMENDED FOR CONSTRUCTION:	-NOT FOR CONSTRUCTION- -FOR REVIEW ONLY-	3000 Illinois Ave., Suite 100 Killeen, TX 76543 PH (254) 953-5353 FX (254) 953-5057 Texas Registered Engineering Firm # 10254 Texas Registered Surveying Firm 10194095	10 OF 8
PROJECT NUMBER: XXXX CHECKED BY: XXX APPROVED BY: XXX AUTHORIZED BY: WBW				CLIENT NAME: W & B DEVELOPMENT CLIENT LOCATION: TEMPLE, TX		THE RESERVE AT PEA RIDGE I CITY OF TEMPLE, BELL COUNTY, TEXAS			



The Reserve at Pea Ridge Planned Development Standards:

- Underlying zoning SF-2
- 20' Front setbacks
- 10' side setbacks adjacent to streets
- 5' side setbacks
- Paved trail heads to be provided
- Property to the east of Pea Ridge realignment to have the option of one-family or two-family dwellings (two-family dwellings are a minimum lot width of 60')
- Maximum of 350 lots

Residential Landscaping Standards:

- Front yard shall be sodded
- One tree required in the front yard to be a minimum 2" caliper at breast height
- Shrubs: minimum of three 5 gallon shrubs and five 1 gallon shrubs placed in the front yard

Residential Architectural Standards:

- The front façade must have at least two architectural features. Items may include but not limited to: roof breaks, columns, gables, varied roof pitch, etc.
- The façade of each home is required to be at least 80% masonry (brick, rock, stucco, hardie-plank or other cementitious products), permitted exceptions: gables, dormers, eaves, overhangs, porches, etc.
- The front façade of each home must be at least 50% masonry, excluding hardie-plank, with the same permitted exceptions as written above.
- Residential sidewalks shall be installed when homes are built as shown. Sidewalk along Pea Ridge will be built along with oversizing of Pea Ridge road.



The Reserve  
at **Pea Ridge**





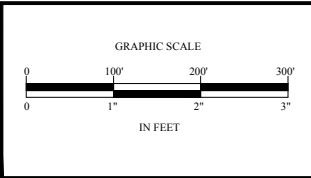
**LEGEND**

FLOOD PLAIN

PROJECT BOUNDARY

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	02/15/2018	JLS
PROJECT NUMBER: RP01		CLIENT NAME: WBW DEVELOPMENT GROUP,LLC - SERIES 027	
APPROVED BY: TWF		CLIENT LOCATION: KILLEEN, TX	
AUTHORIZED BY: XXX			

PROJECT INFORMATION	
TOTAL SIZE:	74.02 ACRES
TOTAL BLOCKS:	8
TOTAL LOTS:	299



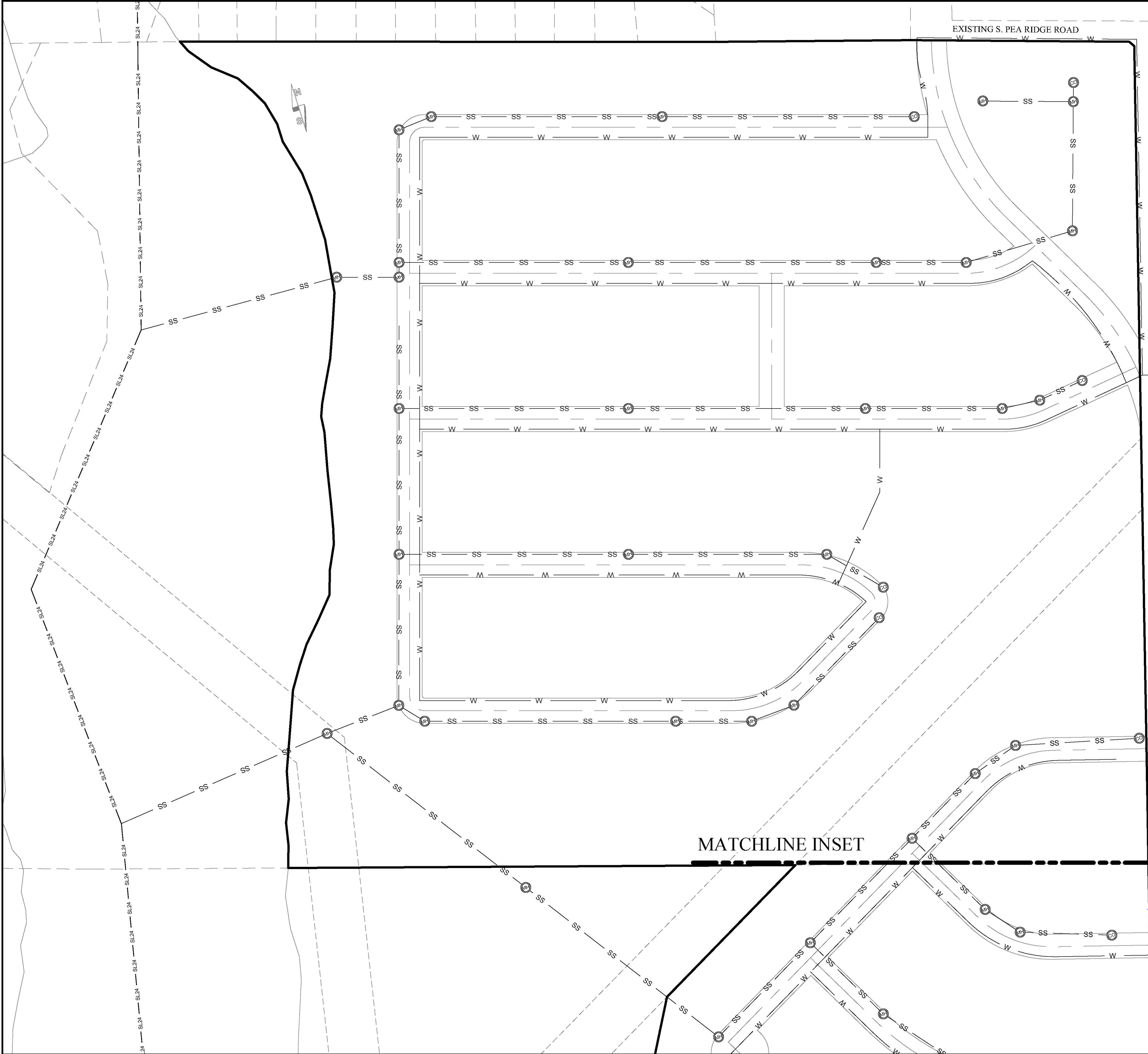
LAYOUT

THE RESERVE AT PEA RIDGE

CITY OF TEMPLE, BELL COUNTY, TEXAS

ENGINEER'S APPROVAL	Yalgo, LLC	SHEET
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF TYLER W. FREESE 127376 ON 02/15/2018. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.	3000 Illinois Ave., Suite 100 Killeen, TX 76543 PH (254) 953-5353 FX (254) 953-5057	1
	Texas Registered Engineering Firm # 10264	OF
	Texas Registered Surveying Firm 10194095	1





LEGEND

PROPOSED SANITARY SEWER MANHOLE

PROPOSED SANITARY SEWER CLEAN OUT

PROPOSED SANITARY SEWER PIPE

PROPOSED WATER SUPPLY PIPE

EXISTING 24" SANITARY SEWER PIPE

EXISTING 8" WATER SUPPLY PIPE

PROPOSED BOUNDARY

EXISTING UTILITY EASEMENT

PROPOSED ROAD CENTERLINE

PROPOSED ROW

INSET

MATCHLINE THIS SHEET

REV.

DESCRIPTION

DATE

BY

1

ORIGINAL RELEASE

02/15/2018

JLS

PROJECT INFORMATION

TOTAL SIZE: 74.02 ACRES

GRAPHIC SCALE

0

100'

200'

300'

0

1"

2"

3"

IN FEET

SEWER AND WATER LAYOUT

THE RESERVE AT PEA RIDGE

CITY OF TEMPLE, BELL COUNTY, TEXAS

ENGINEER'S APPROVAL

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF TYLER W. FREESE 127376 ON 02/15/2018. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

Valgo, LLC

3000 Illinois Ave., Suite 100  
Killeen, TX 76543  
PH (254) 953-5353  
FX (254) 953-5057

Texas Registered  
Engineering Firm # 10264

Texas Registered  
Surveying Firm # 10194095

SHEET

3

OF

3

PRINTED ON February 15, 2018









AG TO PD SF-2




## AERIAL MAP

Zoning Case :  
Z-FY-18-16



Address :  
1810 S PEA RIDGE

### Transportation

Streets

-  COLLECTOR
-  LOCAL STREET
-  Temple Municipal Boundary

### Parcel Features

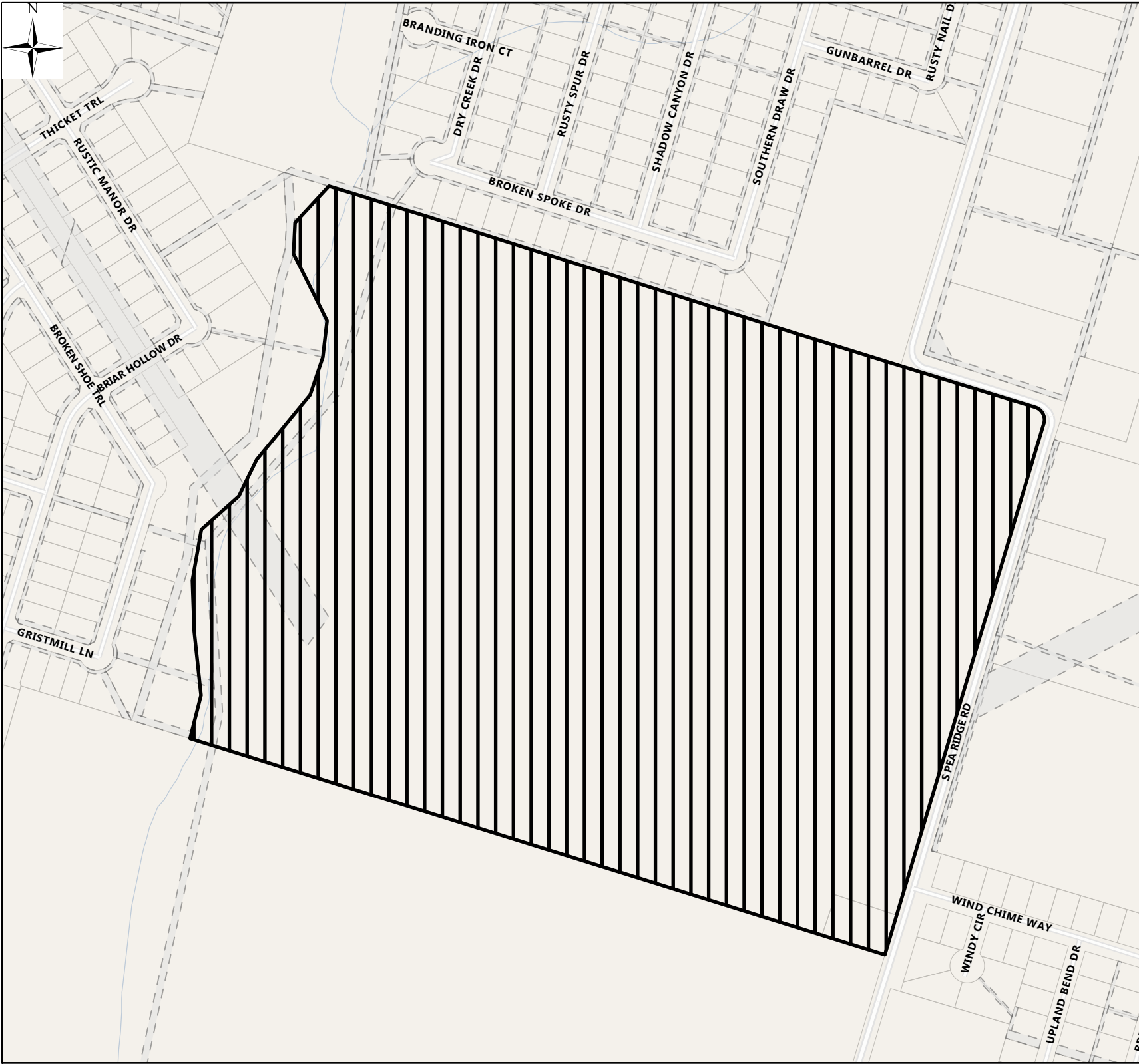
-  Parcels
-  Production.SDE.Easement

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

Irbarrett  
Date: 2/21/2018







AG TO PD SF-2

## AERIAL MAP

Zoning Case :  
Z-FY-18-16

Address :  
1810 S PEA RIDGE

### Transportation

Streets

COLLECTOR

LOCAL STREET

Temple Municipal Boundary

### Parcel Features

Parcels

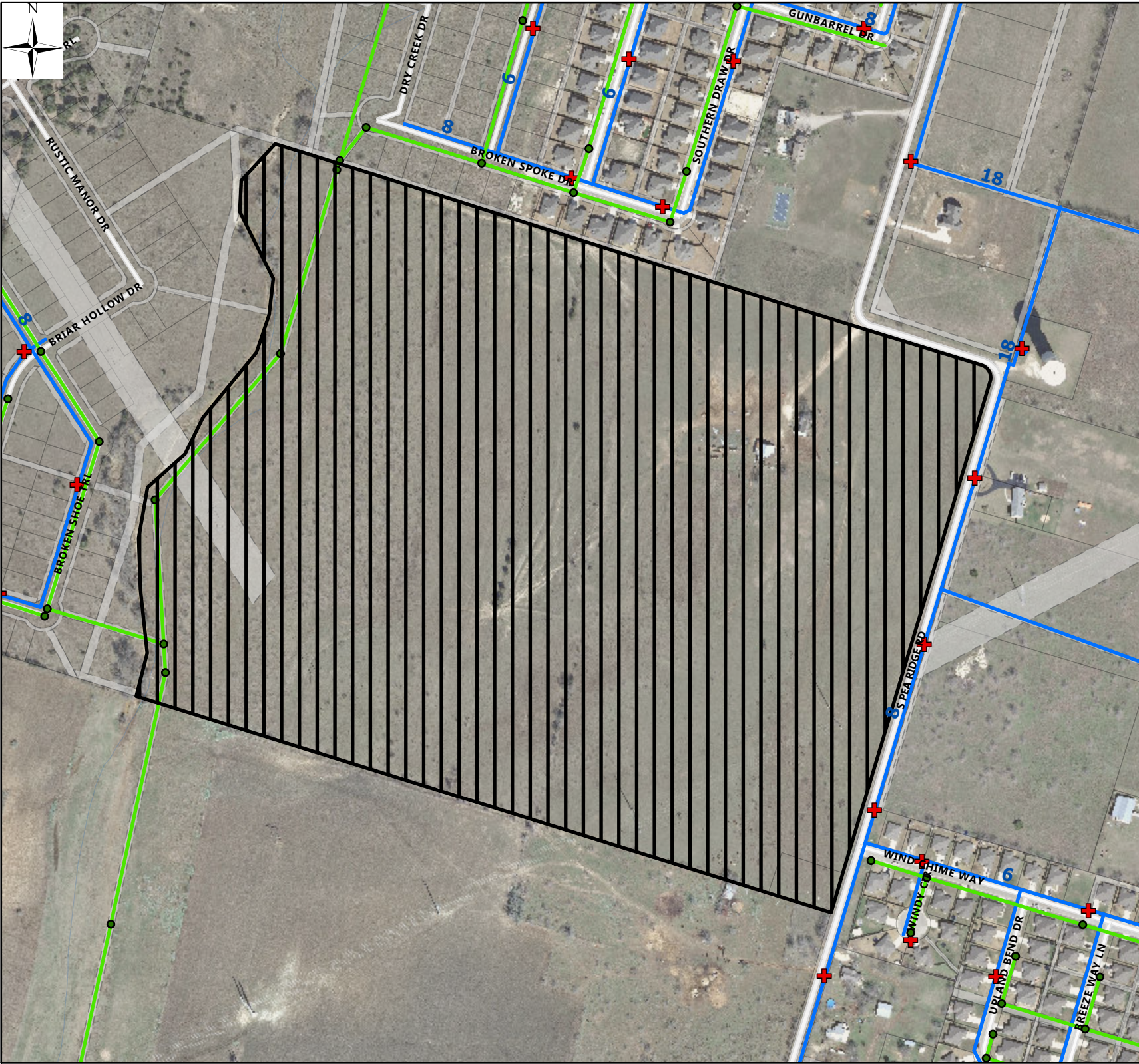
Production.SDE.Easement

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

Irbarrett  
Date: 2/21/2018







AG TO PD SF-2

## UTILITY MAP

Zoning Case :  
Z-FY-18-16

Address :  
1810 S PEA RIDGE

### Sewer

- Manhole
- Gravity Main

### WaterDistribution

- ✚ Hydrant
- Main

### Parcel Features

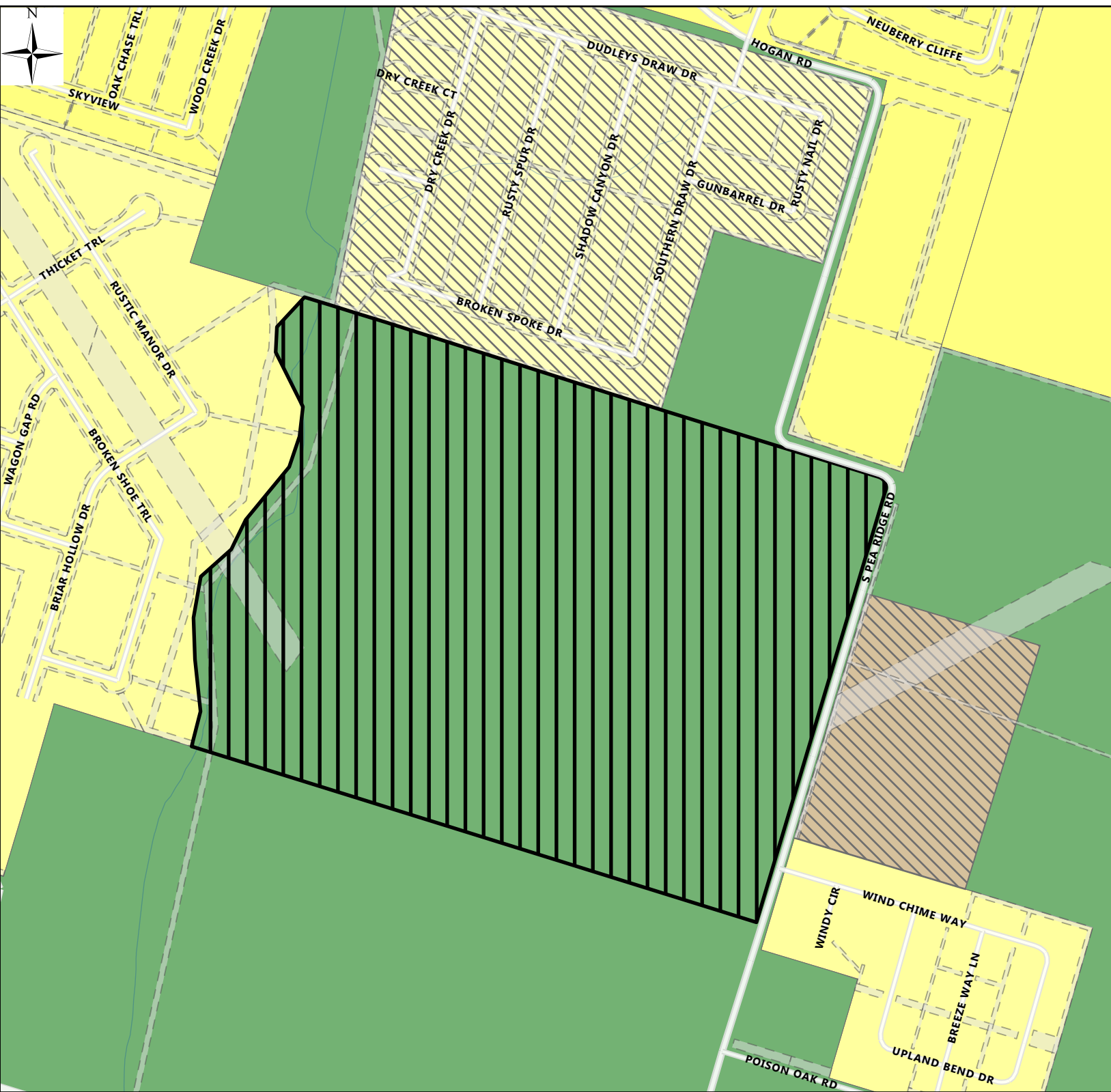
- Parcels
- Production.SDE.Easement

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

Irbarrett  
Date: 2/21/2018







AG TO PD SF-2

# 200' NOTIFICATION MAP

Zoning Case :

Z-FY-18-16

Address :

1810 S Pea Ridge Rd

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

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

Irbarrett

Date: 2/21/2018





## SITE PHOTOS









**Above shows Property at right and S Pea Ridge curve which is proposed for straightening**



**Southern portion showing the Oncor power lines transecting the property**

## AREA PHOTOS



Looking North along S Pea Ridge



Looking West at Carriage House Trails which abuts the subject property

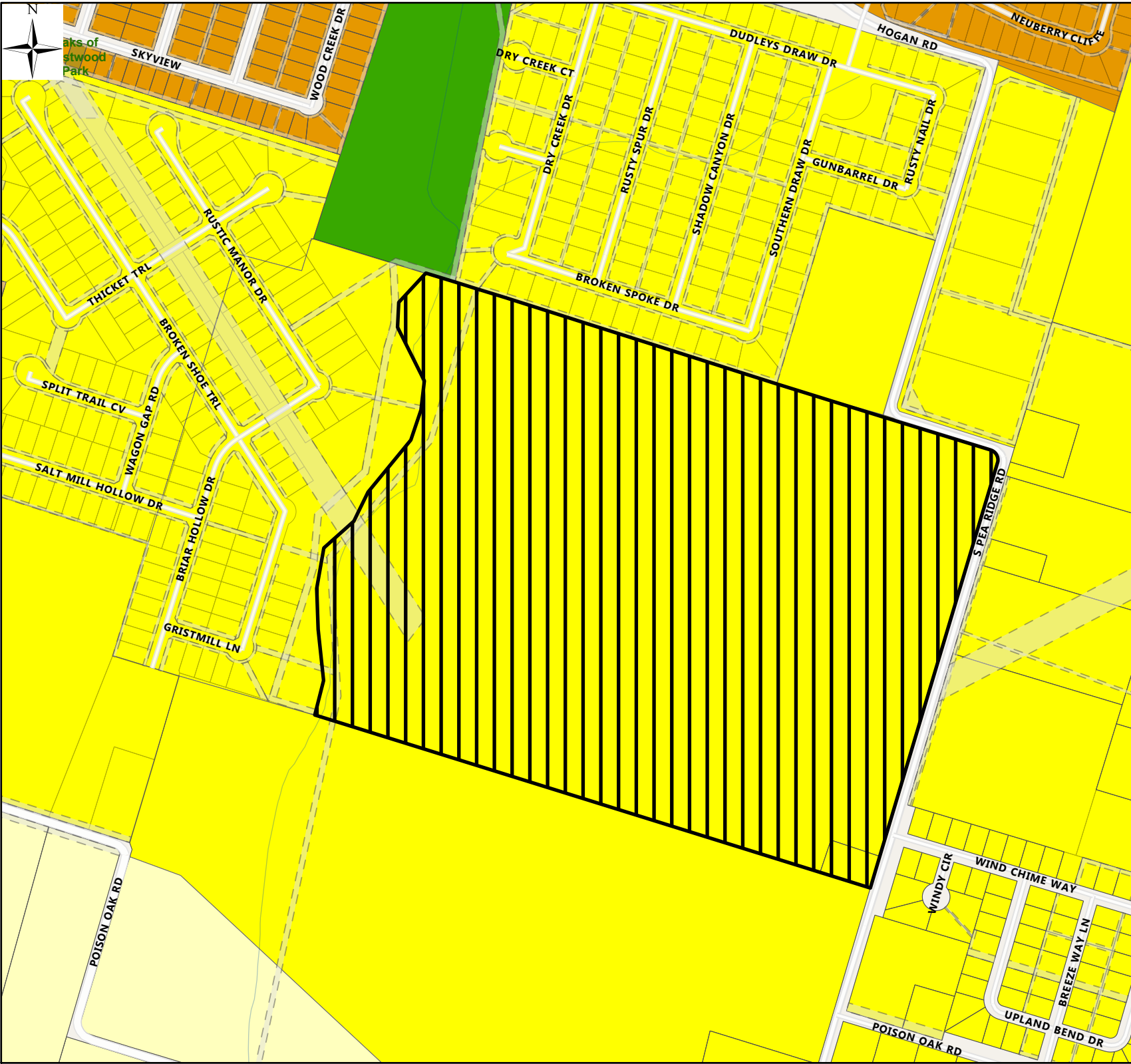




**View South along Pea Ridge Road, subject property is at right**



**Portion of curve which will be straightened**



AG TO PD SF-2

## FUTURE LAND USE MAP

Zoning Case :  
Z-FY-18-16

Address :  
1810 S PEA RIDGE

### Transportation

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

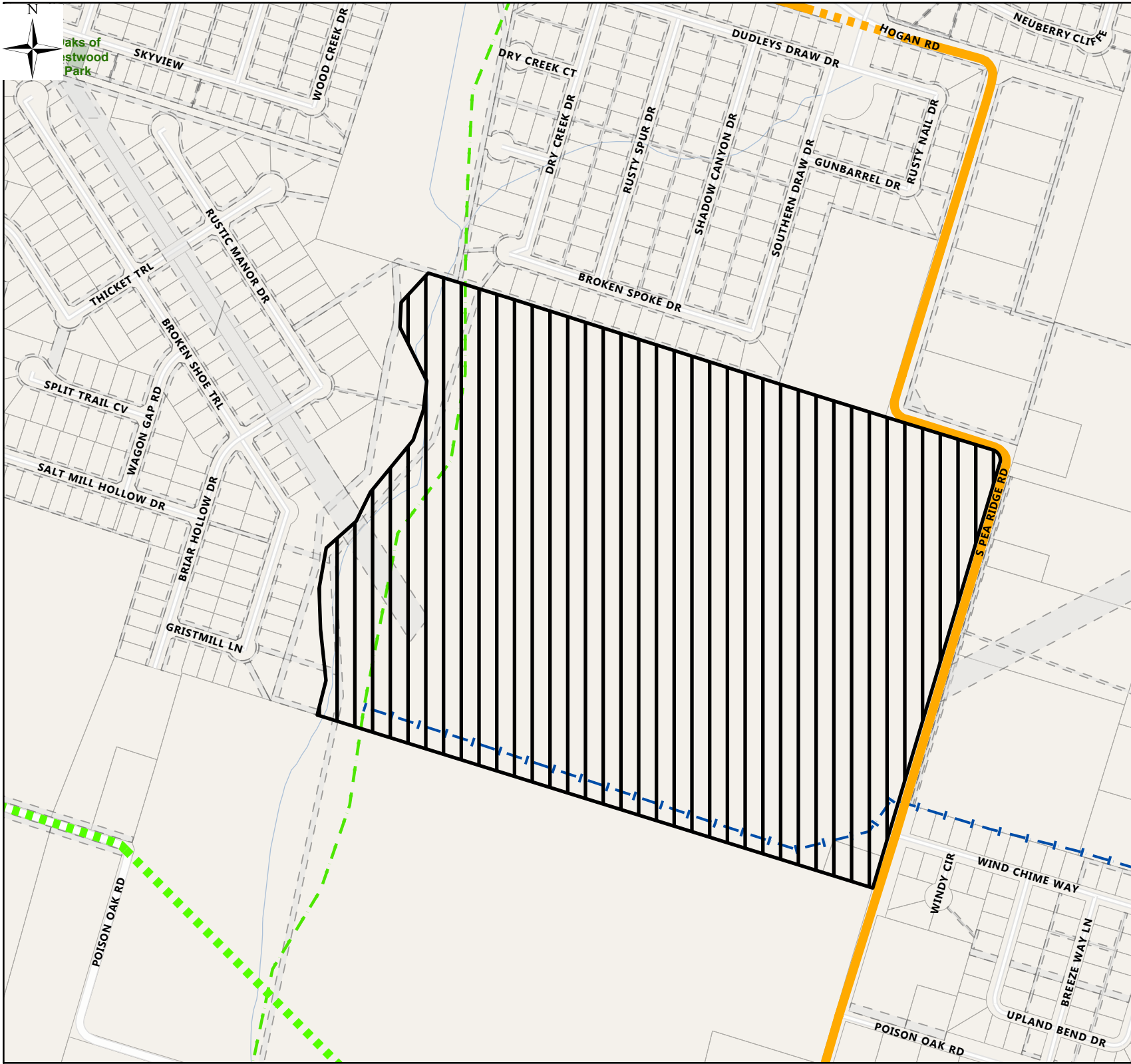
### Parcel Features

- 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
- Production.SDE.Easement

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

Irbarrett  
Date: 2/21/2018





# AG TO PD SF-2 THOROUGHFARE AND TRAILS MAP

Zoning Case :  
Z-FY-18-16  
Address :  
1810 S PEA RIDGE

- Parcel Features**
- Parcels
- Thoroughfare Plan**
- Expressway
  - Major Arterial
  - Proposed Major Arterial
  - Minor Arterial
  - Proposed Minor Arterial
  - Collector
  - Proposed Collector
- Trails Master Plan**
- EXISTING, CITY WIDE SPINE
- Legend**
- EXISTING, COMMUNITY WIDE CONNECTOR
  - EXISTING, LOCAL CONNECTOR
  - PROPOSED, CITY WIDE SPINE
  - PROPOSED, COMMUNITY WIDE CONNECTOR
  - PROPOSED, LOCAL CONNECTOR
  - Production.SDE.

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

Irbarrett  
Date: 2/21/2018





AG TO PD SF-2

## 200' NOTIFICATION MAP

Zoning Case :

Z-FY-18-16

Address :

1810 S Pea Ridge Rd

CurrentZoning	
	CA
	CA - CUP
	CA - PD
	C
	C - CUP
	C - PD
	C - CUP, PD
	LI
	LI - CUP
	LI - PD
	LI - CUP, PD
	HI
	HI - PD
	AG
	AG - CUP
	MH
	MH - CUP
	MH - PD
	MU
	MU - CUP
	SD-C
	SD-C - CUP
	SD-H
	SD-H - CUP
	SD-T
	SD-V
	T4
	T4 - PD
	T4 - CUP
	T5-C
	T5-C - CUP
	T5-C - PD
	T5-E
	T5-E - CUP
	T5-E - PD
	NO BASE
	CUP
	PD
	Production.SDE.Easement

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

Irbarrett

Date: 2/21/2018







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

**RECEIVED**

**MAR 19 2018**

City of Temple  
Planning & Development

FAST, BRADLEY T ETUX DEBORAH E  
1806 SHADOW CANYON DR  
TEMPLE, TX 76502

**Zoning Application Number: Z-FY-18-16**

**Case Manager: Lynn Barrett**

Location: 1810 South Pea Ridge, 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:**

---

---

---

---

Deborah E Fast  
**Signature**

Deborah E Fast  
**Print Name**

Bradley T. Fast

BRADLEY T. FAST

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lrbartlett@templetx.gov](mailto:lrbartlett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

***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

ARNOLD, SABRINA  
7723 BROKEN SPOKE DR  
TEMPLE, TX 76502-5393

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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

Sabrina Arnold  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lrbartlett@templetx.gov](mailto:lrbartlett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed March 7, 2018

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

**RECEIVED**

MAR 21 2018

CITY OF TEMPLE  
PLANNING & DEVELOPMENT





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

KROPP, RUTH L  
7727 BROKEN SPOKE DR  
TEMPLE, TX 76502

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

Location: 1810 South Pea Ridge, 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:**

*Building so close to my property line will decrease property value. If the land is filled in, it will increase drainage issues in our area. We have one entrance into our subdivision leading onto S. Pea Ridge. The traffic will greatly increase.*

*Ruth Kropp*  
\_\_\_\_\_  
**Signature**

*Ruth Kropp*  
\_\_\_\_\_  
**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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

**RECEIVED**

**MAR - 1 2018**

City of Temple  
Planning & Development

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

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



**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**

**RECEIVED**

**MAR - 5 2018**

City of Temple  
Planning & Development

LYNCH, EARNEST D  
1805 SHADOW CANYON DR  
TEMPLE, TX 76502-5341

**Zoning Application Number: Z-FY-18-16**

**Case Manager: Lynn Barrett**

**Location: 1810 South Pea Ridge, 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:**

Smaller Homes and smaller Lots will bring down neighboring home values. The average American owns over two vehicles and with 350 homes planned that is over 700 additional vehicles on local roads like South Pea Ridge, Old Waco Rd, and Hogan Rd, All of which are not capable of handling the additional traffic.

**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, [lrbarratt@templetx.gov](mailto:lrbarratt@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

**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**

MOSBY, SANDRA A  
7805 BROKEN SPOKE DR  
TEMPLE, TX 76502-5397

**RECEIVED**

MAR - 6 2018

City of Temple  
Planning & Development

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

Location: 1810 South Pea Ridge, 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

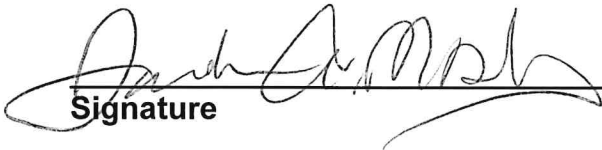
**Comments:**

---

---

---

---

  
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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

***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**

HAIRSTON, CHAD ANTHONY ETUX AMANDA ELAINE  
7905 BROKEN SPOKE DR  
TEMPLE, TX 76502

**RECEIVED**

MAR 13 2018

City of Temple  
Planning & Development

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

Location: 1810 South Pea Ridge, 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 do not agree with the duplex option.

Signature

Chad Hairston

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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

**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**

COLLINS, PETER CHARLES ETUX JENNIFER L  
1809 SOUTHERN DRAW DR  
TEMPLE, TX 76502

**Zoning Application Number: Z-FY-18-16**

**Case Manager: Lynn Barrett**

Location: 1810 South Pea Ridge, 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:**

MAR 13 2018

City of Temple  
Planning & Development

  
Signature

Jennifer Collins  
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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

***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**

HOSCH, JASON H ETUX KELLY M  
7316 BRANDON DR  
TEMPLE, TX 76502

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

Location: 1810 South Pea Ridge, 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 own the property at 1807 S. Pea Ridge just across the street on the North-Northeast side. We are firmly against the proposed optional multi-family (plexes) on the northeast corner. They will significantly lower our property values of the area. We also are not ok with our whole South side view being multi-family (plexes). Please consider having all single-family.

**Signature**

*Kelly Hosch*

**Print Name**

Kelly Hosch

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed February 22, 2018

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

**RECEIVED**

MAR 12 2018

City of Temple  
Planning & Development



RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

133038  
DUSEK, BRAD  
8311 FM 2086  
TEMPLE, TX 76501

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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.

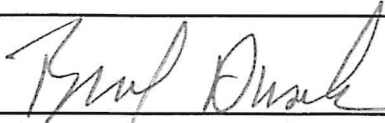
I ☒ agree

( ) disagree with this request

RECEIVED  
MAR - 8 2018

**Comments:**

City of Temple  
Planning & Development



**Signature**

Brad Dusek

**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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

**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**

133039  
DUSEK, BRAD  
8311 FM 2086  
TEMPLE, TX 76501

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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

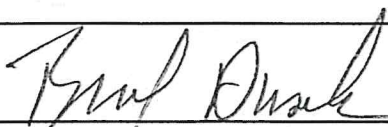
**Comments:**

---

---

---

---

  
\_\_\_\_\_  
**Signature**

Brad Dusek  
\_\_\_\_\_  
**Print Name**

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lrbartlett@templetx.gov](mailto:lrbartlett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

**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**

WBW LAND INVESTMENTS LP  
3000 ILLINOIS AVE STE 100  
KILLEEN, TX 76543-5372

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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:**

**RECEIVED**

FEB 27 2018

City of Temple  
Planning & Development

**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, [lrbartlett@templetx.gov](mailto:lrbartlett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

**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**

WBW LAND INVESTMENTS LP  
3000 ILLINOIS AVE STE 100  
KILLEEN, TX 76543-5372

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

Location: 1810 South Pea Ridge, 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:

**RECEIVED**

FEB 27 2018

City of Temple  
Planning & Development

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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed: February 22, 2018

**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

Brian + Melissa Supak  
1806 Southern Draw Dr.  
Temple, TX 76502

New Owners

Zoning Application Number: Z-FY-18-16

Case Manager: Lynn Barrett

Location: 1810 South Pea Ridge, Temple, Texas

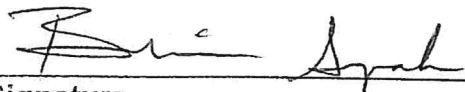
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I ( ) agree

(☒) disagree with this request

Comments:

Are in the email I sent to Lrbarrett@templetx.gov



Signature

Brian Supak

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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

**RECEIVED**

MAR 26 2018

City of Temple  
Planning & Development

Number of Notices Mailed: 51

Date Mailed February 22, 2018

OPTIONAL Please feel free to email questions or comments directly to the Case Manager or call us at 254 298.5668.

## Lynn R. Barrett

---

**From:** Brian Supak <brian\_supak@yahoo.com>  
**Sent:** Monday, March 26, 2018 2:31 PM  
**To:** Lynn R. Barrett  
**Subject:** Z-FY-18-16  
**Attachments:** Z-FY-18-16.pdf

Sorry for the late reply, but I just found out about this planned development and I live within 200 feet. My response is below:

I object only to the option of having duplex's next to the water tower. This appears to be spot zoning to allow for this type of development. Directly next to the water tower you have zoning for homes with larger lots, I think this would be a more appropriate use of the land. It also appears the roadway will be changed that will cut off a small parcel of land from the main proposed subdivision, so I think a home with larger lot for this section of land would be more consistent than proposing duplexes. I'm also concerned with an immediate impact of the added traffic that a higher density residential feature like this provides to the area. As I drive down Pea Ridge I cannot find where a similar parcel of land would have a duplex type development, so I believe allowing duplexes here would be inconsistent to the zoning of the surrounding area.

I've been having ash collect on my vehicles from the burning brush while they been clearing the land, clearly it's been too windy for this to be occurring. Seeing this and other activities in the area give the feel that this development is being rushed to a certain extent.

Please confirm receipt of the response and provide updates to this case as allowable.

Thanks,  
Brian Supak





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

**RECEIVED**

**MAR 19 2018**

City of Temple  
Planning & Development

Michael Taylor  
1621 Southern Draw Dr.  
Temple, TX 76502

**Zoning Application Number: Z-FY-18-16**

**Case Manager: Lynn Barrett**

**Location: 1810 South Pea Ridge, 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 a disabled veteran that has sacrificed too much to finally own a home  
that will go down in property value because of a zoning ordinance for rental  
properties that will back up on my subdivision. The proposed zoning for this land  
should stay SINGLE FAMILY homes! As a side note, it was dirty the way the city of  
Temple only supposedly notified those who's property only directly backs up to this proposed land. There are  
obvious effects beyond those 10 homes!

Michael Taylor  
Signature

Michael Taylor  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment in **March 5, 2018.**

Out of buffer  
area  
add to  
parcel  
for Council

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

Date Mailed February 22, 2018

Questions or comments directly to the Case Manager or call





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



**Mr. Rocky Snyder**  
1610 Rusty Spur Dr.  
Temple, TX 76502-4427

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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 FEEL THAT MULTI-FAMILY HOUSING WOULD HURT THE  
PROPERTY VALUE OF SINGLE FAMILY HOMES

**Signature**

**Print Name**

Rocky SNYDER

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

**RECEIVED**

**MAR 14 2018**

City of Temple  
Planning & Development

Number of Notices Mailed: 51

Date Mailed February 22, 2018

**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**

KAREN STARKS  
1714 Rusty Spur DR  
Temple, TX 76502

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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

☒ I disagree with this request

**Comments:**

We do not want to bring down the  
property value. We are in a secluded neighborhood  
for reason.

Karen Starks  
Signature

Karen Starks  
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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed February 22, 2018

**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**

DORIS BEATTY  
1627 S PEARIDGE RD  
TEMPLE, TEXAS 76502

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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.

☐ ( ) agree

☒ disagree with this request

**Comments:**

*I am totally against the proposed Duplex structures intended for above location. Our roadways are impossible to navigate, the curves are so damaged, an influx of lg. traffic is a true hazard.*

*Doris Beatty*  
Signature

DORIS BEATTY  
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, [lrbarrrett@templetx.gov](mailto:lrbarrrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed February 22, 2018

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

**RECEIVED**

**MAR 12 2018**

City of Temple  
Planning & Development





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

Christy Jones  
1522 Rusty Spur Dr.  
Temple, Tx 76502

**Zoning Application Number: Z-FY-18-16**

**Case Manager: Lynn Barrett**

**Location: 1810 South Pea Ridge, 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 agree with having multi-family zoning up  
against my neighborhood. Duplexes bring in extra traffic  
& will lower the value of our home in the Southern Draw  
subdivision. Duplexes will bring in people that have no personal  
investment into the property & I am not in favor of this. I ask that  
you consider single family zoning only!

Christy Jones  
Signature

Christy Jones  
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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed February 22, 2018

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

**RECEIVED**

**MAR 12 2018**

City of Temple  
Planning & Development





RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

Deb Jones  
1718 Shadow Canyon  
76502

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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:**

Will cause value of home to decrease  
due to multi family housing (Bad idea)

Deb Jones  
Signature

Deb Jones  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lrbartlett@templetx.gov](mailto:lrbartlett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed February 22, 2018

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

**RECEIVED**

MAR 12 2018

City of Temple  
Planning & Development



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

Brad & Marissa Beierman  
1722 Shadow Canyon Dr.  
Temple, TX 76502

**Zoning Application Number: Z-FY-18-16**

**Case Manager: Lynn Barrett**

**Location: 1810 South Pea Ridge, 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 do not want our house value to go  
down due to the building.

M. Beierman  
**Signature**

Marissa Beierman  
**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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed February 22, 2018

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

**RECEIVED**

**MAR 12 2018**

City of Temple  
Planning & Development





RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

Dawnita Lambert  
1618 Southern Draw Dr.  
Temple TX 76502

**Zoning Application Number:** Z-FY-18-16

**Case Manager:** Lynn Barrett

**Location:** 1810 South Pea Ridge, 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.

☐ ( ) agree

☒ disagree with this request

**Comments:**

Building multi family housing in this vacinity will  
decrease our home values.

Dawnita Lambert  
Signature

Dawnita Lambert  
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, [lrbarett@templetx.gov](mailto:lrbarett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 51

Date Mailed February 22, 2018

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

**RECEIVED**

MAR 15 2018

CITY OF TEMPLE  
PLANNING & DEVELOPMENT

ORDINANCE NO. 2018-4907  
(Z-FY-18-16)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING AND SITE DEVELOPMENT PLAN ON APPROXIMATELY 81 ACRES FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT SINGLE FAMILY TWO ZONING DISTRICT, ADDRESSED AS 1810 SOUTH PEA RIDGE ROAD, IN THE BALDWIN ROBERTSON SURVEY, ABSTRACT NO. 17, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the applicant, WBW, is the owner of 81 acres located at 1810 South Pea Ridge Road and is proposing development of the subject property with future plans for an accompanying land swap of a comparably sized parcel of City property to provide park land for the additional connecting portion of drainage areas at the east side of their tract;

**Whereas**, additionally, applicant will participate in realigning South Pea Ridge Road through the subject property;

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning and Site Development Plan from Agricultural Zoning District to Planned Development Single Family Two Zoning District, on approximately 81 acres addressed as 1810 South Pea Ridge Road in the Baldwin Robertson Survey, Abstract No. 17, Temple, Texas; and

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

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

**Part 1: 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 a rezoning from Agricultural Zoning District to Planned Development Single Family Two Zoning District on approximately 81 acres situated in the Baldwin Robertson Survey, Abstract No. 17, Temple, Texas and addressed as 1810 South Pea Ridge Road, as more thoroughly described by the site development plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes along with the following conditions:

1. Substantial compliance with the attached Development Plan/Site Plan;
2. 20' Front setbacks, 10' rear, 10' side setbacks street side, 5' side setbacks interior lots;
3. Paved trail heads provided to adjacent city trails planned;
4. No single residential lots with drive access allowed onto realigned S Pea Ridge Road; shared drive if needed only with No Backing requirement;



5. East of Pea Ridge realignment (approximately 3 acres), option of one or two family dwellings with two family only on minimum 60-foot-wide lots;
6. Maximum of 350 total lots;
7. Sodded front yards;
8. One tree in each front yard minimum 2" diameter at breast height;
9. Minimum of three 5 gallon shrubs, five 1-gallon shrubs in front yard;
10. Front façade of each structure will have a minimum of two architectural features of roof breaks, columns, gables, varied roof pitch, etc.;
11. Each home façade is required to be a minimum of 80% masonry except for gables, dormers, eaves, overhangs, porches, etc.;
12. Front façade to be a minimum of 50% masonry excluding hardie plank siding with same permitted exceptions as written above; and
13. Residential sidewalks as shown to be installed as homes are constructed. Sidewalk along S. Pea Ridge portion will be built along with oversizing the roadway to collector standards.

**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 **5<sup>th</sup>** day of **April**, 2018.

PASSED AND APPROVED on Second Reading on the **19<sup>th</sup>** day of **April**, 2018.

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

---

04/19/18  
Item #6  
Regular Agenda  
Page 1 of 4

### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Traci L. Barnard, Director of Finance

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans which include appropriating additional bond proceeds, adjusting debt service payments, and allocating expenditures for public improvements for years FY 2018-2062.

**STAFF RECOMMENDATION:** Adopt ordinance as presented in item description, with second and final reading for May 3, 2018.

**ITEM SUMMARY:** The Reinvestment Zone No. 1 (RZ#1) Finance and Project Committees have had several joint meetings. The meetings consisted of reviewing projects identified from the Downtown Master Plan and the 2022 Master Plan, available funding sources and aligning funding with project needs. All projects were reviewed for updated cost estimates, project scope, and project readiness/delivery. The available funding sources identified were from reallocation of funding from existing projects, deferring projects to future years, and increasing the size of the proposed TIRZ Revenue Bonds from \$22,000,000 to \$29,000,000.

The focus of the proposed amendment is for the fiscal years 2018 through 2023, however, state law requires a financing and project plan to span the life of the Zone.

The changes reflected in the plan amendments are to fund the projects presented to the Reinvestment Zone No. 1 Board at the March 28, 2018 board meeting. The Reinvestment Zone No. 1 Board will consider these amendments at the April 18, 2018 board meeting.


Below are highlights of **selected line items**:

**TIRZ Revenue Bonds** In FY 2018, \$22,000,000 of bond proceeds were added to fund projects shown in the 2022 Master Plan Project Funding Schedule. This proposed amendment increases the bond issue amount to \$29,000,000 based on project needs and is within the parameters for maintaining a two times coverage for future debt service. The projects to be funded with the bond proceeds are as follows:

FY 2018	
<b>Outer Loop</b>	
Outer Loop (IH35 to Wendland) ROW	\$ 500,000
Outer Loop (McLane to Central Point Parkway)	7,250,000
Outer Loop Phase V (Poison Oak to Old Waco Road)	2,820,000
Outer Loop Phase VI (Old Waco Road to I35 South)	3,340,000
East Outer Loop	623,000
<b>Downtown</b>	
Downtown City Center/Hawn	2,050,000
1st Street from Avenue A to Central Avenue	1,280,000
1st Street Parking Garage	5,000,000
Avenue C from MLK to 24th Street	2,540,000
Santa Fe Plaza - Central Ave Corridor Parking and Enhancement Concept Design	170,000
Santa Fe Plaza - Parking Enhancement - 11th to 9th	155,000
<b>Temple Industrial Park</b>	
Rail Backage Road (E-W) {Design}	450,000
Milling & Overlay Industrial Blvd	650,000
<b>TMED</b>	
31st Street Monumentation Construction	450,000
<b>Airport Park</b>	
Draughon-Miller Regional Airport FBO Center & Parking Design	440,000
Corporate Hangar Phase IV Design	132,000
<b>Public Improvements</b>	
Contingency	1,150,000
<b>Total Bond Projects</b>	<b>\$ 29,000,000</b>

The amendment also includes an allocation for annual debt service for the TIRZ Revenue bonds beginning in FY 2019 through FY 2038 (20 year amortization). The average annual debt service on the proposed issue is approximately \$2,206,067.

The amendment for FY 2018 and FY 2019 also includes adjustments to the following projects as shown below:

	Increase (Decrease) FY 2018	Increase (Decrease) FY 2019
<b>General Administrative Expenditures</b>		
Professional	\$ (150,000)	\$ -
Debt Service - 2018 Issue {\$29 mil}	-	462,872
<b>Corporate Campus Park</b>		
Corporate Campus Land	750,000	-
Mixed Use Master Plan	-	250,000
<b>Outer Loop</b>		
Outer Loop (IH 35 to Wendland)	(275,000)	-
STAG grant {Little Elm Sewer}		
<b>Synergy Park</b>		
Synergy Park Land	-	750,000
<b>Downtown</b>		
Downtown City Center/Hawn Design	150,000	-
1st Street from Avenue A to Avenue B	850,000	-
Strategic Investment Zone - Grants	(275,000)	275,000
Downtown Electric Master Plan	75,000	-
Downtown Lighting	60,000	-
Downtown Transformation Team	(135,000)	-
<b>TMED</b>		
Veteran's Memorial Blvd. Phase II ROW	(300,000)	300,000
Veteran's Memorial Blvd. Phase II Construction	-	(2,488,000)
<b>Airport Park</b>		
Clear Area Near Fire Station	-	172,500
Repaint Tower	-	172,500
Demolition of Old Terminal Building	-	115,000
Fence Realignment	-	124,000
<b>Gateway Projects</b>		
Downtown Neighborhoods Overlay	-	100,000
<b>Use of Fund Balance</b> 	<b>\$ 750,000</b>	<b>\$ 233,872</b>



A few projects to note that have been included in future years are detailed below:

**Veteran's Memorial Boulevard** – A grant match of \$4,500,000 has been included in Financing Plan in FY 2020.

**Outer Loop (IH 35 to Wendland)** - Funding in the amount of \$14,800,000 for this project has been included in the Financing Plan in FY 2022.

**Outer Loop (Wendland to McLane Pkwy)** - Funding in the amount of \$11,700,000 for this project has been included in the Financing Plan in FY 2023

**Public Improvements:** Beginning in FY 2023 through 2062, the balance of funding for general “non-project specific” improvements is allocated to this line item. The amount was determined based on the remaining funds available after amounts were allocated for operating expenditures, debt service, projects and maintaining an amount of fund balance of no less than \$2,000,000. See the attached “TRZ Master Plan Project Funding (2017-2025)” schedule for more detail on the projects.

The following is a summary of funding for the 2022 Master Plan projects:

	Bond Issue						
	2018	2018	2019	2020	2021	2022	2023
Temple Industrial Park	\$ 1,100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Corporate Campus Park	-	750,000	250,000	-	-	-	-
Bioscience Park/Crossroads Park	-	-	-	-	-	-	-
Outer Loop	14,533,000	250,000	-	-	-	14,800,000	11,700,000
Synergy Park	-	-	750,000	-	-	-	-
Downtown	11,195,000	14,516,000	725,000	450,000	450,000	450,000	450,000
TMED	450,000	730,000	300,000	4,500,000	-	-	-
Airport Park	572,000	560,600	584,000	-	-	-	-
Gateway	-	212,000	100,000	-	-	-	-
Public Improvements	1,150,000	-	-	-	-	-	4,500,000
<b>MASTER PLAN PROJECT FUNDING</b>	<b>\$29,000,000</b>	<b>\$17,018,600</b>	<b>\$ 2,709,000</b>	<b>\$ 4,950,000</b>	<b>\$ 450,000</b>	<b>\$ 15,250,000</b>	<b>\$ 16,650,000</b>

**FISCAL IMPACT:** Below is a table summarizing the Source and Use of funds included in the Financing and Project Plans.

Description	2018	2019	2020	2021	2022	2023	Future Years
Available FB <sup>(1)</sup> @ October 1	\$ 20,539,894	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069
<b>Total Source of Funds</b>	<b>48,489,685</b>	<b>16,990,273</b>	<b>16,415,960</b>	<b>15,787,729</b>	<b>15,657,049</b>	<b>15,209,887</b>	<b>759,803,009</b>
<b>Total Debt &amp; Operating Exp.</b>	<b>6,741,468</b>	<b>8,833,276</b>	<b>8,545,651</b>	<b>8,234,205</b>	<b>8,170,557</b>	<b>5,305,335</b>	<b>89,586,067</b>
<b>Total Planned Project Exp.</b>	<b>60,929,916</b>	<b>2,709,000</b>	<b>4,950,000</b>	<b>450,000</b>	<b>15,250,000</b>	<b>16,650,000</b>	<b>672,538,011</b>
Available FB <sup>(1)</sup> @ September 30	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ -

<sup>(1)</sup> - Fund Balance

## **ATTACHMENTS:**

Financing Plan  
Summary Financing Plan with Detailed Project Plan  
Summary - TRZ Master Plan Project Funding (2017 - 2025)  
TRZ Master Plan Project Funding (2017 - 2025)  
TRZ Schedule of Outstanding Bonds with Proposed Issue Ordinance

FINANCING PLAN  
Page 1 of 5

	Y/E 9/30/18	Y/E 9/30/19	Y/E 9/30/20	Y/E 9/30/21	Y/E 9/30/22	2023	2024	2025
DESCRIPTION	Year 36	Year 37	Year 38	Year 39	Year 40	41	42	43
1 "Taxable Increment"	\$ 426,069,294	\$ 415,287,167	\$ 409,874,095	\$ 397,412,766	\$ 426,871,090	\$ 430,495,341	\$ 473,225,671	\$ 510,957,928
1 FUND BALANCE, Begin	\$ 20,539,894	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 20,539,894	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408
SOURCES OF FUNDS:								
4 Tax Revenues	17,793,995	17,171,851	16,588,792	15,961,146	15,848,781	15,394,809	16,049,463	16,639,966
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(266,910)	(257,578)	(248,832)	(239,417)	(237,732)	(230,922)	(240,742)	(249,599)
8 Interest Income-Other	50,000	40,000	40,000	30,000	10,000	10,000	10,000	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	36,000	36,000
14 Other Revenues	106,600	-	-	-	-	-	-	-
15 Sale of land	600,000	-	-	-	-	-	-	-
17 Bond Proceeds	29,000,000	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 48,489,685	\$ 16,990,273	\$ 16,415,960	\$ 15,787,729	\$ 15,657,049	\$ 15,209,887	\$ 15,854,721	\$ 16,436,367
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 69,029,579	\$ 18,348,468	\$ 23,222,152	\$ 25,514,230	\$ 32,487,074	\$ 24,276,404	\$ 18,175,790	\$ 18,856,775
USE OF FUNDS:								
DEBT SERVICE								
27 2009 Bond Refunding	1,488,750	1,485,000	-	-	-	-	-	-
28 2008 Bond Issue-Taxable {\$10.365 mil}	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422	-	-	-
29 Debt Service - 2011A Issue {Refunding}	908,350	915,950	2,497,800	2,497,550	2,494,950	-	-	-
30 Debt Service - 2012 Issue {Refunding}	79,600	77,650	80,050	77,250	78,750	-	-	-
31 Debt Service - 2013 Issue {\$25.260 mil}	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494	2,030,094	2,026,694	2,038,413
32 Debt Service - 2018 Issue {\$29 mil}	-	2,129,596	1,746,550	1,434,300	1,385,900	2,338,700	2,340,700	2,340,700
35 Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,200	1,200	1,200
40 Subtotal-Debt Service	5,768,051	7,899,413	7,611,788	7,298,964	7,235,216	4,369,994	4,368,594	4,380,313
OPERATING EXPENDITURES								
50 Prof Svcs/Proj Mgmt	102,454	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52 Legal/Audit	1,300	1,300	1,300	1,300	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
56 Rail Maintenance	112,100	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	200,000	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
62 TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941	28,941	30,388	30,388
65 Subtotal-Operating Expenditures	973,417	933,863	933,863	935,241	935,341	935,341	936,788	936,788
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 6,741,468	\$ 8,833,276	\$ 8,545,651	\$ 8,234,205	\$ 8,170,557	\$ 5,305,335	\$ 5,305,382	\$ 5,317,101
80 Funds Available for Projects	\$ 62,288,111	\$ 9,515,192	\$ 14,676,501	\$ 17,280,025	\$ 24,316,517	\$ 18,971,069	\$ 12,870,408	\$ 13,539,674
PROJECTS								
150 Temple Industrial Park	1,121,920	-	-	-	-	-	-	-
200 Corporate Campus Park	907,813	250,000	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	3,191,551	-	-	-	-	-	-	-
350 Outer Loop	19,485,419	-	-	-	14,800,000	11,700,000	-	-
400 Synergy Park	46,846	750,000	-	-	-	-	-	-
450 Downtown	29,008,112	725,000	450,000	450,000	450,000	450,000	450,000	450,000
500 TMED	3,329,192	300,000	4,500,000	-	-	-	-	-
550 Airport Park	2,477,063	584,000	-	-	-	-	-	-
650 Gateway Projects	212,000	100,000	-	-	-	-	-	-
750 Public Improvements	1,150,000	-	-	-	-	4,500,000	10,000,000	10,500,000
Subtotal-Projects	60,929,916	2,709,000	4,950,000	450,000	15,250,000	16,650,000	10,450,000	10,950,000
TOTAL USE OF FUNDS	\$ 67,671,384	\$ 11,542,276	\$ 13,495,651	\$ 8,684,205	\$ 23,420,557	\$ 21,955,335	\$ 15,755,382	\$ 16,267,101
800 FUND BALANCE, End	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408	\$ 2,589,674

	2026	2027	2028	2029	2030	2031	2032
DESCRIPTION	44	45	46	47	48	49	50
1 "Taxable Increment"	\$ 603,517,507	\$ 632,140,107	\$ 638,461,508	\$ 644,846,123	\$ 651,294,584	\$ 657,807,530	\$ 664,385,606
1 FUND BALANCE, Begin	\$ 2,589,674	\$ 2,284,096	\$ 2,667,989	\$ 2,731,730	\$ 2,976,932	\$ 3,398,828	\$ 3,003,239
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,589,674	\$ 2,284,096	\$ 2,667,989	\$ 2,731,730	\$ 2,976,932	\$ 3,398,828	\$ 3,003,239
SOURCES OF FUNDS:							
4 Tax Revenues	17,945,912	18,402,247	18,586,255	18,772,103	18,959,809	19,149,392	19,340,871
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(269,189)	(276,034)	(278,794)	(281,582)	(284,397)	(287,241)	(290,113)
8 Interest Income-Other	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
14 Other Revenues	-	-	-	-	-	-	-
15 Sale of land	-	-	-	-	-	-	-
17 Bond Proceeds	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 17,722,723	\$ 18,172,213	\$ 18,353,461	\$ 18,536,521	\$ 18,721,412	\$ 18,908,151	\$ 19,096,758
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 20,312,397	\$ 20,456,309	\$ 21,021,450	\$ 21,268,252	\$ 21,698,343	\$ 22,306,979	\$ 22,099,997
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}	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
32 Debt Service - 2018 Issue {\$29 mil}	2,338,700	2,339,700	2,338,500	2,340,100	2,339,300	2,339,125	2,339,213
35 Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40 Subtotal-Debt Service	4,391,513	4,400,013	4,401,413	4,403,013	4,409,613	4,413,838	4,425,326
OPERATING EXPENDITURES							
50 Prof Svcs/Proj Mgmt	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
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	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
58 Road/Signage Maintenance	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
62 TISD-Reimbursement [per contract]	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65 Subtotal-Operating Expenditures	936,788	938,307	938,307	938,307	939,902	939,902	939,902
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 5,328,301	\$ 5,338,320	\$ 5,339,720	\$ 5,341,320	\$ 5,349,515	\$ 5,353,740	\$ 5,365,228
80 Funds Available for Projects	\$ 14,984,096	\$ 15,117,989	\$ 15,681,730	\$ 15,926,932	\$ 16,348,828	\$ 16,953,239	\$ 16,734,769
PROJECTS							
150 Temple Industrial Park	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-
350 Outer Loop	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-
450 Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500 TMED	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-
750 Public Improvements	12,250,000	12,000,000	12,500,000	12,500,000	12,500,000	13,500,000	13,500,000
Subtotal-Projects	12,700,000	12,450,000	12,950,000	12,950,000	12,950,000	13,950,000	13,950,000
TOTAL USE OF FUNDS	\$ 18,028,301	\$ 17,788,320	\$ 18,289,720	\$ 18,291,320	\$ 18,299,515	\$ 19,303,740	\$ 19,315,228
800 FUND BALANCE, End	\$ 2,284,096	\$ 2,667,989	\$ 2,731,730	\$ 2,976,932	\$ 3,398,828	\$ 3,003,239	\$ 2,784,769

	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
DESCRIPTION	51	52	53	54	55	56	57	58	59	60
1 "Taxable Increment"	\$ 671,029,462	\$ 677,739,756	\$ 684,517,154	\$ 691,362,325	\$ 698,275,949	\$ 705,258,708	\$ 712,311,295	\$ 719,434,408	\$ 726,628,752	\$ 733,895,040
1 FUND BALANCE, Begin	\$ 2,784,769	\$ 2,749,292	\$ 2,994,676	\$ 2,938,758	\$ 2,825,321	\$ 2,913,337	\$ 2,950,306	\$ 3,526,010	\$ 3,305,949	\$ 2,792,165
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,784,769	\$ 2,749,292	\$ 2,994,676	\$ 2,938,758	\$ 2,825,321	\$ 2,913,337	\$ 2,950,306	\$ 3,526,010	\$ 3,305,949	\$ 2,792,165
SOURCES OF FUNDS:										
4 Tax Revenues	19,534,265	19,729,593	19,926,875	20,126,129	20,327,375	20,530,634	20,735,926	20,943,271	21,152,689	21,364,201
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(293,014)	(295,944)	(298,903)	(301,892)	(304,911)	(307,960)	(311,039)	(314,149)	(317,290)	(320,463)
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	-	-	-	-	-	-	-	-	-	-
15 Sale of land	-	-	-	-	-	-	-	-	-	-
17 Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 19,287,251	\$ 19,479,649	\$ 19,673,972	\$ 19,870,237	\$ 20,068,464	\$ 20,268,674	\$ 20,470,887	\$ 20,675,122	\$ 20,881,399	\$ 21,089,738
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 22,072,020	\$ 22,228,941	\$ 22,668,648	\$ 22,808,995	\$ 22,893,786	\$ 23,182,011	\$ 23,421,193	\$ 24,201,132	\$ 24,187,348	\$ 23,881,903
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 - 2018 Issue {\$29 mil}	2,337,038	2,341,488	2,337,113	2,339,138	2,337,113	2,338,369	-	-	-	-
35 Paying Agent Services	1,200	1,200	1,200	1,200	-	-	-	-	-	-
40 Subtotal-Debt Service	4,431,151	2,342,688	2,338,313	2,340,338	2,337,113	2,338,369	-	-	-	-
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	\$ 5,372,728	\$ 3,284,265	\$ 3,279,890	\$ 3,283,674	\$ 3,280,449	\$ 3,281,705	\$ 945,183	\$ 945,183	\$ 945,183	\$ 947,122
80 Funds Available for Projects	\$ 16,699,292	\$ 18,944,676	\$ 19,388,758	\$ 19,525,321	\$ 19,613,337	\$ 19,900,306	\$ 22,476,010	\$ 23,255,949	\$ 23,242,165	\$ 22,934,781
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 Outer Loop	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-	-	-	-
750 Public Improvements	13,500,000	15,500,000	16,000,000	16,250,000	16,250,000	16,500,000	18,500,000	19,500,000	20,000,000	19,500,000
Subtotal-Projects	13,950,000	15,950,000	16,450,000	16,700,000	16,700,000	16,950,000	18,950,000	19,950,000	20,450,000	19,950,000
TOTAL USE OF FUNDS	\$ 19,322,728	\$ 19,234,265	\$ 19,729,890	\$ 19,983,674	\$ 19,980,449	\$ 20,231,705	\$ 19,895,183	\$ 20,895,183	\$ 21,395,183	\$ 20,897,122
800 FUND BALANCE, End	\$ 2,749,292	\$ 2,994,676	\$ 2,938,758	\$ 2,825,321	\$ 2,913,337	\$ 2,950,306	\$ 3,526,010	\$ 3,305,949	\$ 2,792,165	\$ 2,984,781



	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052
DESCRIPTION	61	62	63	64	65	66	67	68	69	70
1 "Taxable Increment"	\$ 741,233,990	\$ 748,646,330	\$ 756,132,793	\$ 763,694,121	\$ 771,331,062	\$ 779,044,373	\$ 786,834,817	\$ 794,703,165	\$ 802,650,197	\$ 810,676,699
1 FUND BALANCE, Begin	\$ 2,984,781	\$ 3,242,060	\$ 3,178,960	\$ 3,295,139	\$ 3,094,447	\$ 3,078,715	\$ 3,247,655	\$ 3,105,273	\$ 3,153,456	\$ 3,391,864
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,984,781	\$ 3,242,060	\$ 3,178,960	\$ 3,295,139	\$ 3,094,447	\$ 3,078,715	\$ 3,247,655	\$ 3,105,273	\$ 3,153,456	\$ 3,391,864
SOURCES OF FUNDS:										
4 Tax Revenues	18,226,905	18,409,159	18,593,236	18,779,153	18,966,930	19,156,585	19,348,136	19,541,603	19,737,004	19,934,359
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(273,404)	(276,137)	(278,899)	(281,687)	(284,504)	(287,349)	(290,222)	(293,124)	(296,055)	(299,015)
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	-	-	-	-	-	-	-	-	-	-
15 Sale of land	-	-	-	-	-	-	-	-	-	-
17 Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 17,999,501	\$ 18,179,022	\$ 18,360,337	\$ 18,543,466	\$ 18,728,426	\$ 18,915,236	\$ 19,103,914	\$ 19,294,479	\$ 19,486,949	\$ 19,681,344
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 20,984,282	\$ 21,421,082	\$ 21,539,297	\$ 21,838,605	\$ 21,822,873	\$ 21,993,951	\$ 22,351,569	\$ 22,399,752	\$ 22,640,405	\$ 23,073,208
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 - 2018 Issue {\$29 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	\$ 20,192,060	\$ 20,628,960	\$ 20,745,139	\$ 21,044,447	\$ 21,028,715	\$ 21,197,655	\$ 21,555,273	\$ 21,603,456	\$ 21,841,864	\$ 22,274,667
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 Outer Loop	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-	-	-	-
750 Public Improvements	16,500,000	17,000,000	17,000,000	17,500,000	17,500,000	17,500,000	18,000,000	18,000,000	18,000,000	18,500,000
Subtotal-Projects	16,950,000	17,450,000	17,450,000	17,950,000	17,950,000	17,950,000	18,450,000	18,450,000	18,450,000	18,950,000
TOTAL USE OF FUNDS	\$ 17,742,222	\$ 18,242,122	\$ 18,244,158	\$ 18,744,158	\$ 18,744,158	\$ 18,746,296	\$ 19,246,296	\$ 19,246,296	\$ 19,248,541	\$ 19,748,541
800 FUND BALANCE, End	\$ 3,242,060	\$ 3,178,960	\$ 3,295,139	\$ 3,094,447	\$ 3,078,715	\$ 3,247,655	\$ 3,105,273	\$ 3,153,456	\$ 3,391,864	\$ 3,324,667

	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062
DESCRIPTION	71	72	73	74	75	76	77	78	79	80
1 "Taxable Increment"	\$ 818,783,466	\$ 826,971,300	\$ 835,241,013	\$ 843,593,423	\$ 852,029,358	\$ 860,549,651	\$ 869,155,148	\$ 877,846,699	\$ 886,625,166	\$ 895,491,418
1 FUND BALANCE, Begin	\$ 3,324,667	\$ 2,953,809	\$ 3,278,896	\$ 3,304,268	\$ 3,531,930	\$ 2,961,427	\$ 3,097,278	\$ 3,441,547	\$ 3,493,719	\$ 3,258,498
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 3,324,667	\$ 2,953,809	\$ 3,278,896	\$ 3,304,268	\$ 3,531,930	\$ 2,961,427	\$ 3,097,278	\$ 3,441,547	\$ 3,493,719	\$ 3,258,498
SOURCES OF FUNDS:										
4 Tax Revenues	20,133,688	20,335,010	20,538,346	20,743,715	20,951,137	21,160,634	21,372,225	21,585,933	21,801,778	22,019,781
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(302,005)	(305,025)	(308,075)	(311,156)	(314,267)	(317,410)	(320,583)	(323,789)	(327,027)	(330,297)
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	-	-	-	-	-	-	-	-	-	-
15 Sale of land	-	-	-	-	-	-	-	-	-	-
17 Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 19,877,683	\$ 20,075,985	\$ 20,276,271	\$ 20,478,559	\$ 20,682,870	\$ 20,889,224	\$ 21,097,642	\$ 21,308,144	\$ 21,520,751	\$ 21,735,484
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 23,202,350	\$ 23,029,794	\$ 23,555,166	\$ 23,782,828	\$ 24,214,800	\$ 23,850,651	\$ 24,194,920	\$ 24,749,691	\$ 25,014,470	\$ 24,993,983
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 - 2018 Issue {\$29 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	\$ 22,403,809	\$ 22,228,896	\$ 22,754,268	\$ 22,981,930	\$ 23,411,427	\$ 23,047,278	\$ 23,391,547	\$ 23,943,719	\$ 24,208,498	\$ 24,188,011
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 Outer Loop	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-	-	-	-
750 Public Improvements	19,000,000	18,500,000	19,000,000	19,000,000	20,000,000	19,500,000	19,500,000	20,000,000	20,500,000	23,738,011
Subtotal-Projects	19,450,000	18,950,000	19,450,000	19,450,000	20,450,000	19,950,000	19,950,000	20,450,000	20,950,000	24,188,011
TOTAL USE OF FUNDS	\$ 20,248,541	\$ 19,750,898	\$ 20,250,898	\$ 20,250,898	\$ 21,253,373	\$ 20,753,373	\$ 20,753,373	\$ 21,255,972	\$ 21,755,972	\$ 24,993,983
800 FUND BALANCE, End	\$ 2,953,809	\$ 3,278,896	\$ 3,304,268	\$ 3,531,930	\$ 2,961,427	\$ 3,097,278	\$ 3,441,547	\$ 3,493,719	\$ 3,258,498	\$ (0)

TIF Reinvestment Zone #1  
Summary Financing Plan with Detailed Project Plan

Project Plan - 04/18/18 - to Zone Board

\$ 29,000,000  
Bond Proceeds

SUMMARY FINANCING PLAN								
	2018	2019	2020	2021	2022	2023	2024	2025
1 Beginning Available Fund Balance, Oct 1	\$ 20,539,894	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408
20 Total Sources of Funds	48,489,685	16,990,273	16,415,960	15,787,729	15,657,049	15,209,887	15,854,721	16,436,367
2 Adjustments to Debt Service Reserve		-	-	-	-	-	-	-
25 Net Available for Appropriation	69,029,579	18,348,468	23,222,152	25,514,230	32,487,074	24,276,404	18,175,790	18,856,775
50/52 General Administrative Expenditures	103,754	176,300	176,300	176,300	176,400	176,400	176,400	176,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	112,100	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	200,000	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
62 TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941	28,941	30,388	30,388
27 Debt Service - 2009 Issue (Refunding)	1,488,750	1,485,000	-	-	-	-	-	-
28 Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422	-	-	-
29 Debt Service - 2011A Issue (Refunding)	908,350	915,950	2,497,800	2,497,550	2,494,950	-	-	-
30 Debt Service - 2012 Issue (Refunding)	79,600	77,650	80,050	77,250	78,750	-	-	-
31 Debt Service - 2013 Issue {\$25.260 mil}	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494	2,030,094	2,026,694	2,038,413
32 Debt Service - 2018 Issue {\$29 mil}	-	2,129,596	1,746,550	1,434,300	1,385,900	2,338,700	2,340,700	2,340,700
33 Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,200	1,200	1,200
70 Total Debt & Operating Expenditures	6,741,468	8,833,276	8,545,651	8,234,205	8,170,557	5,305,335	5,305,382	5,317,101
80 Funds Available for Projects	\$ 62,288,111	\$ 9,515,192	\$ 14,676,501	\$ 17,280,025	\$ 24,316,517	\$ 18,971,069	\$ 12,870,408	\$ 13,539,674

PROJECT PLAN								
	2018	2019	2020	2021	2022	2023	2024	2025
<b>TEMPLE INDUSTRIAL PARK:</b>								
101 Receiving & Delivery (R&D) Tracks	21,920	-	-	-	-	-	-	-
101 Receiving & Delivery (R&D) Tracks {bond funded}	-	-	-	-	-	-	-	-
102 Rail Backage Road (E-W) GST Tract {bond funded}	450,000	-	-	-	-	-	-	-
103 Rail Backage Road (N-S) GST Tract	-	-	-	-	-	-	-	-
104 Overlay Industrial Blvd	650,000	-	-	-	-	-	-	-
108 -	-	-	-	-	-	-	-	-
150 Total Industrial Park	1,121,920	-	-	-	-	-	-	-
<b>CORPORATE CAMPUS PARK:</b>								
155 Pepper Creek Trail Hwy 36 to McLane Parkway	157,813	-	-	-	-	-	-	-
156 Corporate Campus Land	750,000	-	-	-	-	-	-	-
157 Mixed Use Master Plan	-	250,000	-	-	-	-	-	-
200 Total Corporate Campus Park	907,813	250,000	-	-	-	-	-	-
<b>BIOSCIENCE PARK/CROSSROADS PARK:</b>								
207 Cross Roads Park @ Pepper Creek Trail	3,191,551	-	-	-	-	-	-	-
250 Total Bio-Science Park	3,191,551	-	-	-	-	-	-	-
<b>OUTER LOOP</b>								
305 Outer Loop (IH 35 to Wendland) STAG grant {Little Elm Sewer}	1,925,000	-	-	-	-	-	-	-
305 Outer Loop (IH 35 to Wendland)	1,224,909	-	-	-	14,800,000	-	-	-
305 Outer Loop (IH 35 to Wendland) {bond funded}	500,000	-	-	-	-	-	-	-
310 Outer Loop (Wendland to McLane Pkwy)	1,010,016	-	-	-	-	11,700,000	-	-
315 Outer Loop (McLane Pkwy to Central Point Pkwy)	398,344	-	-	-	-	-	-	-
315 Outer Loop (McLane Pkwy to Central Point Pkwy) {bond funded}	7,250,000	-	-	-	-	-	-	-
316 Outer Loop Phase V (Poison Oak to Old Waco Road) {bond funded}	2,820,000	-	-	-	-	-	-	-
320 Outer Loop Phase VI (Old Waco Road to I35 South)	394,150	-	-	-	-	-	-	-
320 Outer Loop Phase VI (Old Waco Road to I35 South) {bond funded}	3,340,000	-	-	-	-	-	-	-
321 East Outer Loop {bond funded}	623,000	-	-	-	-	-	-	-
350 Total Research Parkway	19,485,419	-	-	-	14,800,000	11,700,000	-	-
<b>SYNERGY PARK:</b>								
352 Entry Enhancement	46,846	-	-	-	-	-	-	-
354 Land	-	750,000	-	-	-	-	-	-
400 Total Synergy Park	46,846	750,000	-	-	-	-	-	-
<b>DOWNTOWN:</b>								
401 Downtown Improvements (Transformation Team)	362,051	450,000	450,000	450,000	450,000	450,000	450,000	450,000
402 Downtown Electric Master Plan	75,000	-	-	-	-	-	-	-
403 Downtown Lighting	60,000	-	-	-	-	-	-	-
404 Santa Fe Plaza	7,105,977	-	-	-	-	-	-	-
405 Downtown City Center/Hawn {bond funded}	2,050,000	-	-	-	-	-	-	-
406 Downtown City Center/Hawn	150,000	-	-	-	-	-	-	-
407 Santa Fe Market	3,764,084	-	-	-	-	-	-	-
408 MLK Festival Fields	-	-	-	-	-	-	-	-
409 TISD-Obligation per Contract	5,000,000	-	-	-	-	-	-	-
410 1st Street (Avenue B to Central Avenue) and Avenue A (North 3rd to South 2nd)	296,000	-	-	-	-	-	-	-
411 1st Street from Avenue A to Avenue B	850,000	-	-	-	-	-	-	-
412 1st Street from Avenue A to Central Avenue {bond funded}	1,280,000	-	-	-	-	-	-	-
413 1st Street Parking Garage {bond funded}	5,000,000	-	-	-	-	-	-	-
414 Avenue C from MLK to 24th Street {bond funded}	2,540,000	-	-	-	-	-	-	-
415 Santa Fe Plaza - Central Ave Corridor Parking and Enhancement Concept Design {bond funded}	170,000	-	-	-	-	-	-	-
416 Santa Fe Plaza - Parking Enhancement - 11th to 9th {bond funded}	155,000	-	-	-	-	-	-	-
417 Strategic Investment Zone - Grants	150,000	275,000	-	-	-	-	-	-
450 Total Downtown	29,008,112	725,000	450,000	450,000	450,000	450,000	450,000	450,000
<b>TMED:</b>								
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-	-	-	-
459 31st Street/Loop 363 Improvements	74,800	-	-	-	-	-	-	-
460 31st Street (Loop 363 to Avenue M) and Avenue R (31st to 25th Street) Concept Design	130,000	-	-	-	-	-	-	-
461 31st Street Monumentation {bond funded}	450,000	-	-	-	-	-	-	-
462 Ave U TMED Ave. to 1st Street	462,305	-	-	-	-	-	-	-
465 Friars Creek Trail Amphitheater	-	-	-	-	-	-	-	-
466 Veteran's Memorial Blvd. Phase II	269,602	300,000	4,500,000	-	-	-	-	-
467 1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-	-	-	-
468 TMED South 1st Street	1,759,550	-	-	-	-	-	-	-
500 Total TMED	3,329,192	300,000	4,500,000	-	-	-	-	-
<b>AIRPORT PARK:</b>								
507 Taxiway for Airport	-	-	-	-	-	-	-	-
510 Corporate Hangar Phase III	1,686,063	-	-	-	-	-	-	-
511 Draughon-Miller Regional Airport FBO Center & Parking Visioning	119,000	-	-	-	-	-	-	-
512 Draughon-Miller Regional Airport FBO Center & Parking {bond funded}	440,000	-	-	-	-	-	-	-
513 Corporate Hangar Phase IV {RAMP grant funded}	100,000	-	-	-	-	-	-	-
513 Corporate Hangar Phase IV {bond funded}	132,000	-	-	-	-	-	-	-
514 Clear Area Near Fire Station	-	172,500	-	-	-	-	-	-
515 Repaint Tower	-	172,500	-	-	-	-	-	-
516 Demolition of Old Terminal Building	-	115,000	-	-	-	-	-	-
517 Fence Realignment	-	124,000	-	-	-	-	-	-
550 Total Airport Park	2,477,063	584,000	-	-	-	-	-	-
<b>GATEWAY PROJECTS:</b>								
601 North 31st Street (Nugent to Central) Concept Design	212,000	-	-	-	-	-	-	-
602 Downtown Neighborhoods Overlay	-	100,000	-	-	-	-	-	-
650 Total Gateway Projects	212,000	100,000	-	-	-	-	-	-
<b>Public Improvements</b>								
701 Public Improvements	-	-	-	-	-	4,500,000	10,000,000	10,500,000
702 Contingency {bond funded}	1,150,000	-	-	-	-	-	-	-
750 Total Public Improvements	1,150,000	-	-	-	-	4,500,000	10,000,000	10,500,000
<b>Total Planned Project Expenditures</b>								
	60,929,916	2,709,000	4,950,000	450,000	15,250,000	16,650,000	10,450,000	10,950,000
800 Available Fund Balance at Year End	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408	\$ 2,589,674

SUMMARY TRZ MASTER PLAN PROJECT FUNDING (2017 - 2025)

Available for allocation	\$ 40,829,294	\$ 29,000,000	\$ 12,242,772	\$ 8,156,997	\$ 7,870,309	\$ 7,553,524	\$ 7,486,492	\$ 9,904,552	\$ 10,549,339	\$ 11,119,266	\$ 144,712,545
--------------------------	---------------	---------------	---------------	--------------	--------------	--------------	--------------	--------------	---------------	---------------	----------------

	Bond Issue										
	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Temple Industrial Park	\$ 124,572	\$ 1,100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,224,572
Corporate Campus Park	1,581,393	-	750,000	250,000	-	-	-	-	-	-	2,581,393
Bioscience Park/Crossroads Park	5,564,692	-	-	-	-	-	-	-	-	-	5,564,692
Outer Loop	5,639,812	14,533,000	250,000	-	-	-	14,800,000	11,700,000	-	-	46,922,812
Synergy Park	49,826	-	-	750,000	-	-	-	-	-	-	799,826
Downtown	14,160,733	11,195,000	14,516,000	725,000	450,000	450,000	450,000	450,000	450,000	450,000	43,296,733
TMED	5,778,280	450,000	730,000	300,000	4,500,000	-	-	-	-	-	11,758,280
Airport Park	1,795,963	572,000	560,600	584,000	-	-	-	-	-	-	3,512,563
Gateway	-	-	212,000	100,000	-	-	-	-	-	-	312,000
Public Improvements	-	1,150,000	-	-	-	-	-	4,500,000	10,000,000	10,500,000	26,150,000
MASTER PLAN PROJECT FUNDING	\$ 34,695,271	\$ 29,000,000	\$ 17,018,600	\$ 2,709,000	\$ 4,950,000	\$ 450,000	\$ 15,250,000	\$ 16,650,000	\$ 10,450,000	\$ 10,950,000	\$ 142,122,871

	Bond Issue										
	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Favorable (Unfavorable) Balance	\$ 6,134,023	\$ -	\$ (4,775,828)	\$ 5,447,997	\$ 2,920,309	\$ 7,103,524	\$ (7,763,508)	\$ (6,745,448)	\$ 99,339	\$ 169,266	\$ 2,589,674
Cumulative Favorable (Unfavorable)	\$ 6,134,023	\$ 6,134,023	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408	\$ 2,589,674	



TRZ MASTER PLAN PROJECT FUNDING (2017 - 2025)

Available for allocation	\$ 40,829,294	\$ 29,000,000	\$ 12,242,772	\$ 8,156,997	\$ 7,870,309	\$ 7,553,524	\$ 7,486,492	\$ 9,904,552	\$ 10,549,339	\$ 11,119,266	\$ 144,712,545
--------------------------	---------------	---------------	---------------	--------------	--------------	--------------	--------------	--------------	---------------	---------------	----------------

Temple Industrial Park

Temple Industrial Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
1	North Lucius McCelvey Ext. (1/2) Construction	4,442	-	-	-	-	-	-	-	-	-	4,442
2	Northern Y Design	-	-	-	-	-	-	-	-	-	-	-
3	Northern Y Construction	-	-	-	-	-	-	-	-	-	-	-
4	Receiving & Delivery Tracks Preliminary Design	107,500	-	-	-	-	-	-	-	-	-	107,500
5	Receiving & Delivery Tracks ROW	-	-	-	-	-	-	-	-	-	-	-
6	N 31st Street Sidewalks Grant Match	12,630	-	-	-	-	-	-	-	-	-	12,630
7	N 31st Street Sidewalks Construction	-	-	-	-	-	-	-	-	-	-	-
8	Rail Backage Road (E-W) GST Tract Design	-	450,000	-	-	-	-	-	-	-	-	450,000
9	Rail Backage Road (E-W) GST Tract Construction	-	-	-	-	-	-	-	-	-	-	-
10	Rail Backage Road (N-S) GST Tract Design	-	-	-	-	-	-	-	-	-	-	-
11	Rail Backage Road (N-S) GST Tract Construction	-	-	-	-	-	-	-	-	-	-	-
12	Overlay Industrial Blvd		650,000	-	-	-	-	-	-	-	-	650,000
	SUBTOTAL	124,572	1,100,000	-	-	-	-	-	-	-	-	1,224,572

Corporate Campus Park

Corporate Campus Park				Bond Issue								
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
13	Pepper Creek Trail Hwy 36 to McLane Prkwy Design	115,500	-	-	-	-	-	-	-	-	-	115,500
14	Pepper Creek Trail Hwy 36 to McLane Prkwy Construction	1,465,893	-	-	-	-	-	-	-	-	-	1,465,893
15	Corporate Campus Land	-	-	750,000	-	-	-	-	-	-	-	750,000
16	Mixed Use Master Plan	-	-	-	250,000	-	-	-	-	-	-	250,000
SUBTOTAL		1,581,393	-	750,000	250,000	-	-	-	-	-	-	2,581,393

Bioscience Park/Crossroads Park

Bioscience Park/Crossroads Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
17	Crossroads Park @ Pepper Creek Trail Design	100,602	-	-	-	-	-	-	-	-	-	100,602
18	Crossroads Park @ Pepper Creek Trail Construction	5,464,090	-	-	-	-	-	-	-	-	-	5,464,090
SUBTOTAL		5,564,692	-	-	-	-	-	-	-	-	-	5,564,692

Outer Loop

Outer Loop			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
19	Outer Loop (IH35 to Wendland) Design	131,247	-	-	-	-	-	700,000	-	-	-	831,247
20	Outer Loop (IH35 to Wendland Ultimate) ROW	1,420,809	500,000	250,000	-	-	-	-	-	-	-	2,170,809
21	Outer Loop (IH35 to Wendland) Grant {Little Elm Sewer}	1,925,000	-	-	-	-	-	-	-	-	-	1,925,000
22	Outer Loop (IH35 to Wendland) Construction	-	-	-	-	-	-	14,100,000	-	-	-	14,100,000
23	Outer Loop (Wendland to McLane Pkwy) Design	-	-	-	-	-	-	-	800,000	-	-	800,000
24	Outer Loop (Wendland to Central Pt Pkwy) ROW	1,752,756	-	-	-	-	-	-	-	-	-	1,752,756
25	Outer Loop (Wendland to McLane Pkwy) Construction	-	-	-	-	-	-	-	10,900,000	-	-	10,900,000
26	Outer Loop (McLane to Central Pt Pkwy) Design	-	350,000	-	-	-	-	-	-	-	-	350,000
27	Outer Loop (McLane to Central Pt Pkwy) Construction	-	6,900,000	-	-	-	-	-	-	-	-	6,900,000
28	Outer Loop Phase V (Poison Oak to Old Waco Road) Design	-	720,000	-	-	-	-	-	-	-	-	720,000
29	Outer Loop Phase V (Poison Oak to Old Waco Road) ROW	-	2,100,000	-	-	-	-	-	-	-	-	2,100,000
30	Outer Loop Phase V (Poison Oak to Old Waco Road) Construction	-	-	-	-	-	-	-	-	-	-	-
31	Outer Loop Phase VI (Old Waco Road to I35 South) Design	410,000	840,000	-	-	-	-	-	-	-	-	1,250,000
32	Outer Loop Phase VI (Old Waco Road to I35 South) ROW	-	2,500,000	-	-	-	-	-	-	-	-	2,500,000
33	Outer Loop Phase VI (Old Waco Road to I35 South) Construction	-	-	-	-	-	-	-	-	-	-	-
34	East Outer Loop Schematic Design	-	123,000	-	-	-	-	-	-	-	-	123,000
35	East Outer Loop Construction	-	500,000	-	-	-	-	-	-	-	-	500,000
SUBTOTAL		5,639,812	14,533,000	250,000	-	-	-	14,800,000	11,700,000	-	-	46,922,812

TRZ MASTER PLAN PROJECT FUNDING (2017 - 2025)

Synergy Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
36	Entry Enhancement Design	49,826	-	-	-	-	-	-	-	-	-	49,826
37	Entry Enhancement Construction	-	-	-	-	-	-	-	-	-	-	-
38	Land	-	-	-	750,000	-	-	-	-	-	-	750,000
SUBTOTAL		49,826	-	-	750,000	-	-	-	-	-	-	799,826

Downtown				Bond Issue								
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
39	Santa Fe Plaza Design	641,969	-	-	-	-	-	-	-	-	-	641,969
40	Santa Fe Plaza ROW	2,697,363	-	-	-	-	-	-	-	-	-	2,697,363
41	Santa Fe Plaza Construction	4,700,000	-	4,075,000	-	-	-	-	-	-	-	8,775,000
42	TISD-Obligation per Contract	5,000,000	-	5,000,000	-	-	-	-	-	-	-	10,000,000
43	Downtown City Center/Hawn Design	-	450,000	150,000	-	-	-	-	-	-	-	600,000
44	Downtown City Center/Hawn Construction	-	1,600,000	-	-	-	-	-	-	-	-	1,600,000
45	Santa Fe Market Design	303,400	-	-	-	-	-	-	-	-	-	303,400
46	Santa Fe Market ROW	463,062	-	45,000	-	-	-	-	-	-	-	508,062
47	Santa Fe Market Construction	-	-	3,500,000	-	-	-	-	-	-	-	3,500,000
48	Downtown Transformation Team	354,939	-	315,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	3,819,939
49	Downtown Electric Master Plan	-	-	75,000	-	-	-	-	-	-	-	75,000
50	Downtown Lighting	-	-	60,000	-	-	-	-	-	-	-	60,000
51	1st Street (Ave B to Central Ave) and Ave A (North 3rd to South 2nd) Design	-	-	296,000	-	-	-	-	-	-	-	296,000
52	1st Street from Avenue A to Avenue B Design	-	-	50,000	-	-	-	-	-	-	-	50,000
53	1st Street from Avenue A to Avenue B Construction	-	-	800,000	-	-	-	-	-	-	-	800,000
54	1st Street from Avenue A to Central Avenue Design	-	80,000	-	-	-	-	-	-	-	-	80,000
55	1st Street from Avenue A to Central Avenue Construction	-	1,200,000	-	-	-	-	-	-	-	-	1,200,000
56	1st Street Parking Garage Design	-	700,000	-	-	-	-	-	-	-	-	700,000
57	1st Street Parking Garage Construction	-	4,300,000	-	-	-	-	-	-	-	-	4,300,000
58	Avenue C from MLK to 24th Street Design	-	440,000	-	-	-	-	-	-	-	-	440,000
59	Avenue C from MLK to 24th Street ROW	-	2,100,000	-	-	-	-	-	-	-	-	2,100,000
60	Avenue C from MLK to 24th Street Construction	-	-	-	-	-	-	-	-	-	-	-
61	Santa Fe Plaza - Central Ave Corridor Parking and Enhancement Concept Design	-	170,000	-	-	-	-	-	-	-	-	170,000
62	Santa Fe Plaza - Parking Enhancement - 11th to 9th Design	-	80,000	-	-	-	-	-	-	-	-	80,000
63	Santa Fe Plaza - Parking Enhancement - 11th to 9th ROW	-	75,000	-	-	-	-	-	-	-	-	75,000
64	Santa Fe Plaza - Parking Enhancement - 11th to 9th Construction	-	-	-	-	-	-	-	-	-	-	-
65	Strategic Investment Zone - Grants	-	-	150,000	275,000	-	-	-	-	-	-	425,000
SUBTOTAL		14,160,733	11,195,000	14,516,000	725,000	450,000	450,000	450,000	450,000	450,000	450,000	43,296,733

TMED			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
66	Loop 363 FR (UPRR to 5th TRZ Portion) Construction	182,935	-	-	-	-	-	-	-	-	-	182,935
67	31st Street (Loop 363 to Ave M) and Ave R (31st to 25th Street) Concept Design	-	-	130,000	-	-	-	-	-	-	-	130,000
68	31 Street Improvements Design	120,267	-	-	-	-	-	-	-	-	-	120,267
69	31 Street Improvements Construction	791,938	-	-	-	-	-	-	-	-	-	791,938
70	31st Street Monumentation Construction	-	450,000	-	-	-	-	-	-	-	-	450,000
71	Ave U TMED Ave. to 1st Construction	2,858,855	-	75,000	-	-	-	-	-	-	-	2,933,855
72	Friars Creek Trail Amphitheater	-	-	-	-	-	-	-	-	-	-	-
73	Veteran's Memorial Blvd. Phase II Design	504,285	-	-	-	-	-	-	-	-	-	504,285
74	Veteran's Memorial Blvd. Phase II ROW	-	-	-	300,000	-	-	-	-	-	-	300,000
75	Veteran's Memorial Blvd. Phase II Construction Grant Match	-	-	-	-	4,500,000	-	-	-	-	-	4,500,000
76	TMED South 1st Street Design	120,000	-	-	-	-	-	-	-	-	-	120,000
77	TMED South 1st Street Construction	1,200,000	-	525,000	-	-	-	-	-	-	-	1,725,000
SUBTOTAL		5,778,280	450,000	730,000	300,000	4,500,000	-	-	-	-	-	11,758,280

TRZ MASTER PLAN PROJECT FUNDING (2017 - 2025)

Airport Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
78	Taxiway for Airport {60 ft. width}	63,700	-	-	-	-	-	-	-	-	-	63,700
79	Corporate Hangar Phase II	262,263	-	-	-	-	-	-	-	-	-	262,263
80	Corporate Hangar Phase III	1,470,000	-	341,600	-	-	-	-	-	-	-	1,811,600
81	Draughon-Miller Regional Airport FBO Center & Parking Visioning	-	-	119,000	-	-	-	-	-	-	-	119,000
82	Draughon-Miller Regional Airport FBO Center & Parking Design	-	440,000	-	-	-	-	-	-	-	-	440,000
83	Draughon-Miller Regional Airport FBO Center & Parking Construction	-	-	-	-	-	-	-	-	-	-	-
84	Corporate Hangar Phase IV {RAMP Grant funded}	-	-	100,000	-	-	-	-	-	-	-	100,000
85	Corporate Hangar Phase IV {bond funded}	-	132,000	-	-	-	-	-	-	-	-	132,000
86	Clear Area Near Fire Station Design	-	-	-	22,500	-	-	-	-	-	-	22,500
87	Clear Area Near Fire Station Construction	-	-	-	150,000	-	-	-	-	-	-	150,000
88	Repaint Tower Design	-	-	-	22,500	-	-	-	-	-	-	22,500
89	Repaint Tower Construction	-	-	-	150,000	-	-	-	-	-	-	150,000
90	Demolition of Old Terminal Building Design	-	-	-	15,000	-	-	-	-	-	-	15,000
91	Demolition of Old Terminal Building Construction	-	-	-	100,000	-	-	-	-	-	-	100,000
92	Fence Realignment Design	-	-	-	24,000	-	-	-	-	-	-	24,000
93	Fence Realignment Construction	-	-	-	100,000	-	-	-	-	-	-	100,000
												-
SUBTOTAL		1,795,963	572,000	560,600	584,000	-	-	-	-	-	-	3,512,563

Gateway Projects			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
94	North 31st Street (Nugent to Central) Concept Design	-	-	212,000	-	-	-	-	-	-	-	212,000
95	Downtown Neighborhoods Overlay	-	-	-	100,000	-	-	-	-	-	-	100,000
SUBTOTAL		-	-	212,000	100,000	-	-	-	-	-	-	312,000

Public Improvements			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
96	Public Improvements	-	-	-	-	-	-	-	4,500,000	10,000,000	10,500,000	25,000,000
97	Bond Contingency	-	1,150,000	-	-	-	-	-	-	-	-	1,150,000
SUBTOTAL		-	1,150,000	-	-	-	-	-	4,500,000	10,000,000	10,500,000	26,150,000

MASTER PLAN PROJECT FUNDING	\$ 34,695,271	\$ 29,000,000	\$ 17,018,600	\$ 2,709,000	\$ 4,950,000	\$ 450,000	\$ 15,250,000	\$ 16,650,000	\$ 10,450,000	\$ 10,950,000	\$ 142,122,871
-----------------------------	---------------	---------------	---------------	--------------	--------------	------------	---------------	---------------	---------------	---------------	----------------

		Bond Issue										
		2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Favorable (Unfavorable) Balance		6,134,023	-	(4,775,828)	5,447,997	2,920,309	7,103,524	(7,763,508)	(6,745,448)	99,339	169,266	2,589,674
Cumulative Favorable (Unfavorable)		6,134,023	6,134,023	1,358,195	6,806,192	9,726,501	16,830,025	9,066,517	2,321,069	2,420,408	2,589,674	

## CITY OF TEMPLE, TEXAS

## REINVESTMENT ZONE NO. 1

## SCHEDULE OF OUTSTANDING BONDS (PRINCIPAL &amp; INTEREST) - AS OF OCTOBER 1, 2017 WITH PROPOSED ISSUE

Fiscal Year	Percent of Debt Retired		TIRZ Revenue Bonds, Taxable Series 2008	General Obligation Bonds Series 2009 {2003 CO}	General Obligation Bonds Series 2011A {2008 CO}	General Obligation Bonds Series 2012 {2003 CO}	Combo Tax & Revenue Bonds Series 2013	TIRZ Revenue Bonds Series 2018	Total
	Annual %	Cumulative %							
2018	6.01%	6.01%	\$ 1,241,957	\$ 1,488,750	\$ 908,350	\$ 79,600	\$ 2,047,694	\$ -	\$ 5,766,351
2019	8.24%	14.25%	1,241,173	1,485,000	915,950	77,650	2,048,344	2,129,596	7,897,713
2020	7.94%	22.19%	1,237,744	-	2,497,800	80,050	2,047,944	1,746,550	7,610,088
2021	7.61%	29.80%	1,241,670	-	2,497,550	77,250	2,046,494	1,434,300	7,297,264
2022	7.54%	37.34%	1,242,422	-	2,494,950	78,750	2,031,494	1,385,900	7,233,516
2023	4.56%	41.90%	-	-	-	-	2,030,094	2,338,700	4,368,794
2024	4.56%	46.46%	-	-	-	-	2,026,694	2,340,700	4,367,394
2025	4.57%	51.02%	-	-	-	-	2,038,412	2,340,700	4,379,112
2026	4.58%	55.60%	-	-	-	-	2,051,612	2,338,700	4,390,312
2027	4.59%	60.19%	-	-	-	-	2,059,112	2,339,700	4,398,812
2028	4.59%	64.78%	-	-	-	-	2,061,712	2,338,500	4,400,212
2029	4.59%	69.37%	-	-	-	-	2,061,712	2,340,100	4,401,812
2030	4.60%	73.97%	-	-	-	-	2,069,112	2,339,300	4,408,412
2031	4.60%	78.57%	-	-	-	-	2,073,512	2,339,125	4,412,637
2032	4.61%	83.18%	-	-	-	-	2,084,912	2,339,213	4,424,125
2033	4.62%	87.80%	-	-	-	-	2,092,913	2,337,038	4,429,951
2034	2.44%	90.25%	-	-	-	-	-	2,341,488	2,341,488
2035	2.44%	92.68%	-	-	-	-	-	2,337,113	2,337,113
2036	2.44%	95.12%	-	-	-	-	-	2,339,138	2,339,138
2037	2.44%	97.56%	-	-	-	-	-	2,337,113	2,337,113
2038	2.44%	100.00%	-	-	-	-	-	2,338,369	2,338,369
<b>Total:</b>			<b>\$ 6,204,966</b>	<b>\$ 2,973,750</b>	<b>\$ 9,314,600</b>	<b>\$ 393,300</b>	<b>\$ 32,871,767</b>	<b>\$ 44,121,343</b>	<b>\$ 95,879,726</b>

<b>Principal Outstanding</b>	<b>\$ 5,330,000</b>	<b>\$ 2,840,000</b>	<b>\$ 8,110,000</b>	<b>\$ 345,000</b>	<b>\$ 24,150,000</b>	<b>\$ 28,050,000</b>	<b>\$ 68,825,000</b>
------------------------------	---------------------	---------------------	---------------------	-------------------	----------------------	----------------------	----------------------



ORDINANCE NO. 2018-4908

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FINANCING AND PROJECT PLANS WHICH INCLUDE APPROPRIATING ADDITIONAL BOND PROCEEDS, ADJUSTING DEBT SERVICE PAYMENTS, AND ALLOCATING EXPENDITURES FOR PUBLIC IMPROVEMENTS FOR FISCAL YEAR 2018-2062; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City Council (the "Council") of the City of Temple, Texas, (the "City") created Reinvestment Zone Number One, City of Temple, Texas (the "Zone") by Ordinance No. 1457 adopted on September 16, 1982;

**Whereas**, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No. 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18<sup>th</sup> day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19<sup>th</sup> day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20<sup>th</sup> day of September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21<sup>st</sup> day of February, 2008; and Ordinance No. 2008-4217 the 15<sup>th</sup> day of May, 2008; Ordinance No. 2008-4242 the 21<sup>st</sup> day of August, 2008; Ordinance No. 2009-4290 on the 16<sup>th</sup> day of April, 2009; Ordinance No. 2009-4294 on the 21<sup>st</sup> day of May, 2009; Ordinance No. 2009-4316 on the 17<sup>th</sup> day of September, 2009; Ordinance No. 2009-4320 on the 15<sup>th</sup> day of October, 2009; Ordinance No. 2010-4338 on the 18<sup>th</sup> day of February, 2010; Ordinance No. 2010-4373 on the 19<sup>th</sup> day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011;

Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676 on July 17, 2014; Ordinance No. 2014-4683 on September 18, 2014; Ordinance No. 2014-4695 on December 18, 2014; Ordinance No. 2015-4705 on April 16, 2015; Ordinance No. 2015-4734 on October 17, 2015; Ordinance No. 2016-4789 on July 21, 2016; Ordinance No. 2016-4809 on October 20, 2016; Ordinance No. 2017-4838 on April 20, 2017; Ordinance No. 2017-4851 on July 20, 2017; Ordinance No. 2017-4871 on October 19, 2017; Ordinance No. 2017-4881 on November 2, 2017; Ordinance No. 2018-4885 on January 18, 2018; Ordinance No. 22018-4908:

**Whereas**, the Board of Directors of the Zone has adopted an additional amendment to the Reinvestment Zone Financing and Project Plans for the Zone and forwarded such amendment to the Council for appropriate action;

**Whereas**, the Council finds it necessary to amend the Reinvestment Zone Financing and Project Plans for the Zone to include financial information as hereinafter set forth;

**Whereas**, the Council finds that such amendment to the Reinvestment Zone Financing and Project Plans is feasible and conforms to the Comprehensive Plan of the City, and that this action will promote economic development within the City of Temple; and

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

**Part 1: Findings.** The statements contained in the preamble of this Ordinance are true and correct and are adopted as findings of fact hereby.

**Part 2: Reinvestment Zone Financing and Project Plans.** The amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans, heretofore adopted by the Board of Directors of the Zone and referred to in the preamble of this Ordinance, is hereby approved and adopted, as set forth in the Amendments to Reinvestment Zone Number 1, City of Temple, Texas, attached hereto as Exhibits A and B.

**Part 3: Plans Effective.** The Financing Plan and Project Plans for the Zone heretofore in effect shall remain in full force and effect according to the terms and provisions thereof, except as specifically amended hereby.

**Part 4: Severability.** 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 and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section.

**Part 5: Effective Date.** 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: Open Meetings.** 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 Meeting Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **April**, 2018.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **May**, 2018.

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

---

04/19/18  
Item #7  
Regular Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

Brian Chandler, Director of Planning  
Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** FIRST READING - PUBLIC HEARING: Consider adopting an ordinance authorizing the annexation of 18.589 acres of land out of the Sarah Fitzhenry Survey, Abstract No.312, in the ETJ (extraterritorial jurisdiction) of the City of Temple, Bell County, Texas, located at 14220 State Highway 317.

**STAFF RECOMMENDATION:** Adopt ordinance as presented in item description, with second and final reading on May 3, 2018.

**ITEM SUMMARY:** Virgel Smith filed a petition on January 4, 2018, seeking voluntary annexation of 18.589 acres into the City of Temple. Voluntary annexation is governed by Section 43.028 of the Texas Local Government Code and applies only to the annexation of an area that is:

1. Less than one-half mile in width,
2. Contiguous to the annexing municipality, and
3. Vacant and without residents or on which fewer than three qualified voters reside.

This voluntary annexation was triggered by the property owner's request to develop a Recreational Vehicle (RV) Park on the subject property, which is subject to a 2008 non-annexation agreement. On February 1, 2018, the City Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule to consider the annexation of the subject property.

Pursuant to Chapter 43 of the Local Government Code, the City has completed the following steps during the annexation process:

1. February 1, 2018 - City Council resolution adopted to direct staff to develop the Municipal Service Plan
2. March 15, 2018 - Municipal Service Plan Public Hearing #1
3. March 16, 2018 – Municipal Service Plan Public Hearing #2



The applicant requests the subject property be annexed into the City of Temple with a zoning of Agricultural District (AG) with a Conditional Use Permit (CUP) to allow a Recreational Vehicle (RV) Park (Z-FY-18-10), subject to all requirements of Chapter 31 of the Code of Ordinance (Recreational Vehicle Parks), including an RV site plan approval. The applicant's rezoning request is scheduled for public hearing before the Planning and Zoning Commission on April 16, 2018. And it is tentatively scheduled for First Reading at City Council on May 17, 2018 and Second Reading on June 7, 2018.

**FISCAL IMPACT:** The Municipal Service Plan does not contain any proposal to extend water or wastewater services to the area, or any other new physical facilities to serve the 18.589 +/- acre tract.

**ATTACHMENTS:**



[Vicinity Maps](#)  
[Municipal Service Plan](#)  
[Field Notes of Proposed Annexation Area \(Exhibit A\)](#)  
[Survey of Proposed Annexation Area \(Exhibit B\)](#)  
[Voluntary Annexation Schedule](#)  
[Resolution](#)

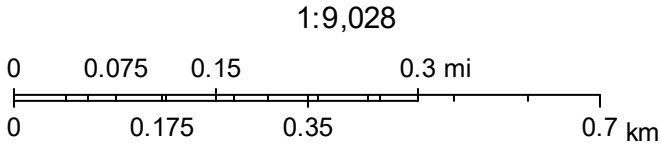


# Temple Web Map

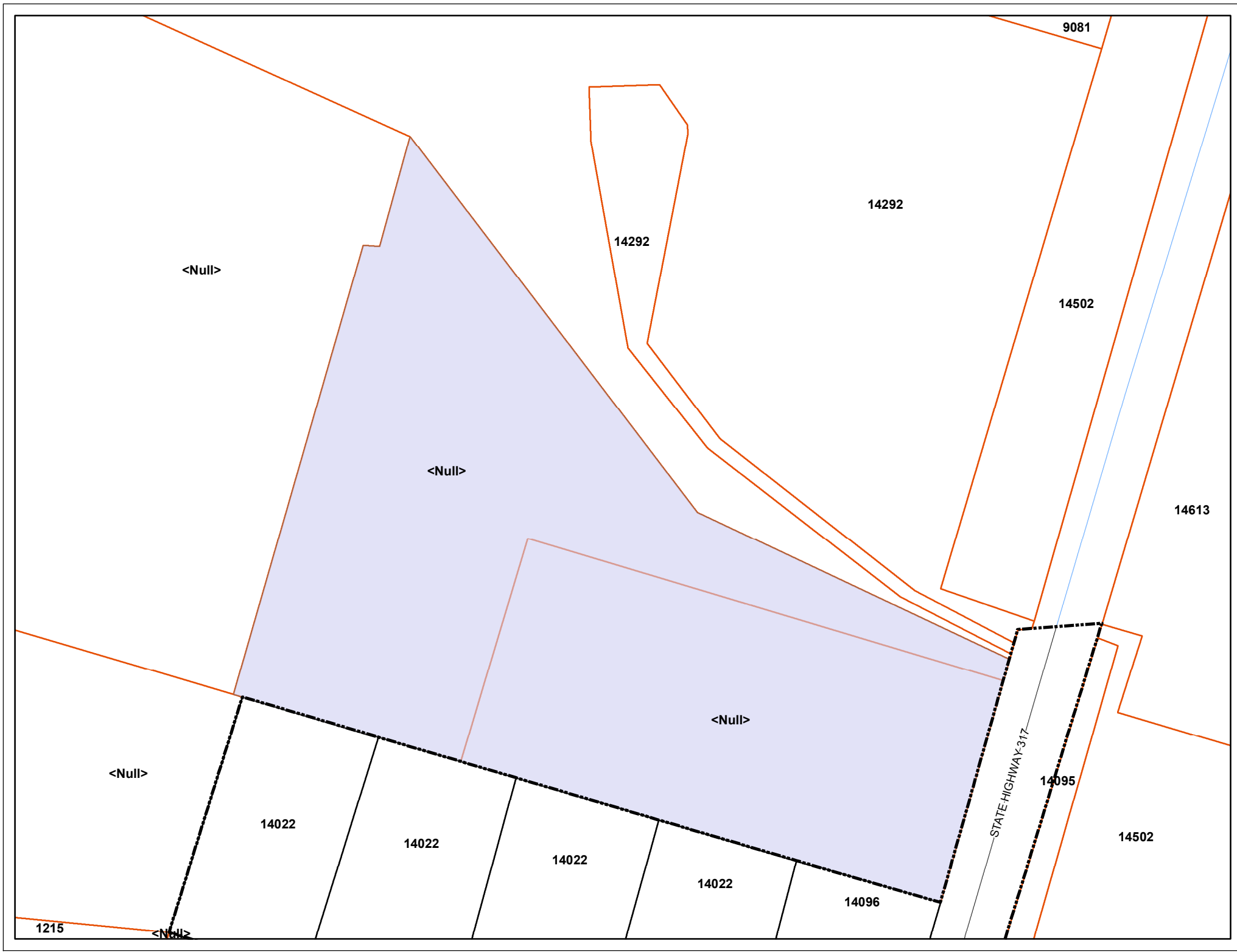


3/5/2018, 5:50:38 PM

-  Easement
-  Subdivision







**CITY OF TEMPLE**  
**ANNEXATION SERVICE PLAN—VOLUNTARY ANNEXATION**  
**14220 State Highway 317**

For 18.589 acres of land out of the Sarah Fitzhenry Survey, Abstract 312, Bell County, Texas, located at 14220 State Highway 317, a state maintained roadway, and being more particularly described as Exhibit “A” (Field Notes) and depicted as Exhibit “B” (Survey) of the Annexation Ordinance (2018-####).

**SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION**

**1. POLICE PROTECTION**

The City will provide protection to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City, with the same or similar topography, land use and population density.

**2. FIRE PROTECTION AND AMBULANCE SERVICE**

The City will provide fire protection to the newly-annexed area at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density. The City will provide First Responder services through its Fire Department and contract for emergency medical services (EMS) through **American Medical Response dba Temple EMS**.

**3. SOLID WASTE COLLECTION**

Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to the newly-annexed area to the extent that the City has access to the area to be serviced. Private contractors currently providing sanitation collecting services in the area may continue to do so for up to two years.

**4. MAINTENANCE OF WATER AND WASTEWATER FACILITIES**

Any and all water or wastewater facilities owned or maintained by the City at the time of the proposed annexation shall continue to be maintained by the City. Any and all water or wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City, to the extent of its ownership. Any and all water or wastewater facilities owned by other water or wastewater treatment providers shall continue to be allowed to provide those services to the newly-annexed tract.

Review of the applicant’s proposed RV site plan will require water, wastewater, and drainage information from the applicant.

**5. MAINTENANCE OF ROADS AND STREETS**

Any and all public roads, streets or alleyways which have been dedicated to the City, or which are owned by the City, shall be maintained to the same degree and extent that other roads, streets and



alleyways are maintained in areas with similar topography, land use and population density. Any and all lighting of roads, streets and alleyways which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City, pursuant to the rules, regulations and fees of such utility.

#### 6. MAINTENANCE OF PUBLIC PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council is not aware of the existence of any public parks, playgrounds or swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City.

#### 7. MAINTENANCE OF MUNICIPALLY-OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council is not aware of the existence of any publicly-owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly-owned facility, building or municipal service does exist and are public facilities, the City will maintain such areas to the same extent and degree that it maintains publicly-owned facilities, buildings or municipal services of the City now incorporated in the City.

#### 8. INSPECTIONS

The City will provide building inspection services upon approved building permits from the City to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

#### 9. CODE ENFORCEMENT

The City will provide code enforcement services to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

#### 10. MOWING

The City will provide right-of-way mowing services adjacent to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

### CAPITAL IMPROVEMENTS

#### 1. POLICE PROTECTION, FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City Council finds and determines it to be unnecessary to acquire or construct any capital improvements for the purposes of providing police protection, fire protection, or emergency medical services. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered

to other areas already incorporated in the City with the same or similar topography, land use and population density.

## 2. ROADS AND STREETS

The City will undertake to provide the same degree of road and street lighting as is provided in areas of the same or similar topography, land use and population density within the present corporate limits of the City. Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and subdivision development of the annexed property. Developers will be required, pursuant to the ordinances of the City to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City for the properly dedicated street. City participation in capital expenditures will be in accordance with City policies.

## 3. WATER AND WASTEWATER FACILITIES

The City of Temple does not have water facilities within the boundaries of the voluntary annexation. Pendleton Water Supply Corp. CNN is the water provider for the subject property.

Currently, there are no wastewater treatment providers within the boundaries of the voluntary annexation and property owners rely on on-site sewage facilities (septic systems). Other areas of the City of Temple with similar topography, land use, and population density as those found in the boundaries of the voluntary annexation also rely on on-site sewage facilities for wastewater infrastructure. For this reason and in accordance with Local Government Code Section 43.056(g), the City proposes no extensions of wastewater facilities within the boundaries of the voluntary annexation.

## 4. CAPITAL IMPROVEMENTS

Notwithstanding any other provision of this service plan, a landowner within the newly annexed area will not be required to fund capital improvements as necessary for municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

---

## **SPECIFIC FINDINGS**

The City Council finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided in other areas of the City. These differences are specifically dictated because of differing characteristics of the property and the City will undertake to perform consistent with this contract so as to provide the newly-annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of the same or similar topography, land utilization and population density.

APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

City of Temple, Texas

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

**18.589 ACRES**

Being a tract of land in Bell County, Texas, lying and situated in the **SARAH FITZHENRY SURVEY, ABSTRACT No. 312**, and the land herein described being all of that certain 18.58 acre tract conveyed to Virgil Smith and wife, Barbara A. Smith by Warranty Deed recorded in Volume 1562, Page 884, Deed Records of Bell County, Texas and being all of that certain 10.593 acre tract conveyed to Virgil Smith and wife, Barbara A. Smith by Substitute Trustee's Deed recorded in Volume 1638, Page 491, Deed Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2" iron rod with orange cap stamped "BRYAN TECH SERVICES" set (North=10,406,546.484, East=3,210,494.702) being the northeast corner of that certain 1.249 acre tract of land conveyed to David D. Hinckley by Warranty Deed with Vendor's Lien recorded in Volume 9244, Page 672, Official Public Records of Bell County, Texas, from which a Type I concrete R.O.W. marker found bears S. 16°38'04" W., 481.07 feet, and being in the west right-of-way line of Farm-to-Market Road No. 317, a publicly maintained roadway, for the southeast corner of subject tract;

**THENCE** departing said west right-of-way line, **NORTH 73°34'40" WEST** at 508.14 feet with the south line of said 18.58 acre tract (calls N. 71°00'59" W., 1272.44 feet) and the north lines of said 1.249 acre tract (calls S. 70°56'24" E., 253.52 feet) and that certain 2.50 acre tract (calls S. 71°01' E., 254.5 feet) conveyed to Cecilio Ramirez and wife, Analiza Ramirez by General Warranty Deed with Vendor's Lien recorded in Volume 2871, Page 290, Official Public Records of Bell County, Texas to a 1/2" iron rod found being the northwest corner of said Ramirez tract and being the northeast corner of that certain 2.51 acre tract conveyed to Margaret H. Butler by General Warranty Deed with Vendor's Lien recorded in Volume 1588, Page 93, Official Public Records of Bell County, Texas, at 762.75 feet continuing with the north line of said Butler tract (calls S. 70°58'48" E., 254.61 feet) to a 1/2" iron rod found being the northwest corner of said Butler tract and being the northeast corner of that certain 2.51 acre tract conveyed to Don Luman and Sandra Luman by Warranty Deed with Vendor's Lien recorded in Volume 1595, Page 520, Official Public Records of Bell County, Texas, at 871.19 feet continuing with the north line of said Luman tract (calls S. 71°01' E., 254.48 feet) to a 1" iron pipe found in the south line of said 18.58 acre tract and being the southeast corner of said 10.593 acre tract, at 1016.82 feet continuing with the north line of said Luman tract to a 1/2" iron rod found being the northwest corner of said Luman tract and being the northeast corner of that certain 2.51 acre tract conveyed to Jose Eusebio Gonzalez



and wife, Maria Hermelinda Gonzalez by Warranty Deed with Vendor's Lien recorded in Volume 3805, Page 450, Official Public Records of Bell County, Texas, at 1271.48 feet in all continuing with the north line of said Gonzalez tract (calls S. 71°01' E., 254.48 feet) to a 1/2" iron rod with orange cap stamped "BRYAN TECH SERVICES" set being the northwest corner of said Gonzalez tract and being the northeast corner of that certain 67.95 acre tract conveyed to Virgil Smith and wife, Barbara A. Smith by Warranty Deed recorded in Volume 3075, Page 730, Official Public Records of Bell County, Texas, and being the southeast corner of that certain 46.38 acre tract conveyed to Virgil Smith and wife, Barbara A. Smith by Warranty Deed recorded in Volume 2874, Page 283, Official Public Records of Bell County, Texas, for the southwest corner of subject tract;

**THENCE** with the common lines of said 10.593 acre tract and said 46.38 acre tract the following three (3) calls:

- 1) **NORTH 16°05'56" EAST, 806.76 feet** (10.593 acre tract calls N. 18°54'03" E., 806.49 feet) (46.38 acre tract calls S. 15°38'25" W., 805.81 feet) to a 1/2" iron rod found, for corner;
- 2) **SOUTH 85°32'41" EAST, 28.84 feet** (10.593 acre tract calls S. 83°00'12" E., 28.87 feet) (46.38 acre tract calls N. 86°21'00" W., 28.74 feet) to a 3/8" iron rod found disturbed, for corner;
- 3) **NORTH 15°21'17" EAST, 196.21 feet** (10.593 acre tract calls N. 18°03'02" E., 196.06 feet) (46.38 acre tract calls S. 14°54'50" W., 196.14 feet) to a 1/2" iron rod found being the northeast corner of said 46.38 acre tract and being the northwest corner of said 10.593 acre tract and being in the south line of that certain 32.579 acre tract conveyed to Randy Joe Wilcox by Warranty Deed recorded in Volume 4640, Page 121, Official Public Records of Bell County, Texas, for the northwest corner of subject tract;

**THENCE** departing said 46.38 acre tract, with the common lines of said 10.593 acre tract and said 32.579 acre tract the following two (2) calls:

- 1) **SOUTH 37°23'52" EAST, 816.50 feet** (10.593 acre tract calls S. 34°42'22" E., 817.13 feet) (32.579 acre tract calls N. 34°48'47" W., 817.21 feet) to a 1/2" iron rod found, for corner;

STATE OF TEXAS  
COUNTY OF BELL

DATE OF SURVEY  
12/05/17

- 2) **SOUTH 64°58'59" EAST, 600.79 feet** (10.593 acre tract calls S. 62°26'57" E., 599.71 feet) (32.579 acre tract calls N. 62°26'45" W., 599.56 feet) to a calculated point, from which a 1/2" iron rod found bears N. 64°58'59" W., 1.06 feet, and from which a Type I concrete R.O.W. marker found bears N. 16°38'04" E., 74.08 feet, and being the southeast corner of said 32.579 acre tract and being in the said west right-of-way line of Farm-to-Market Road 317, for the northeast corner of subject tract;

**THENCE SOUTH 16°38'04" WEST**, at 37.42 feet with the east line of said 10.593 acre tract (calls S. 19°15'31" W., 37.61 feet) to a 1/2" iron rod with orange cap stamped "BRYAN TECH SERVICES" set, from which a 1" iron pipe found bears N. 80°46'41" W., 0.85 feet, and being the northeast corner of said 18.58 acre tract (residue portion), and at **437.12 feet in all** with said west right-of-way line and the east line of said 18.58 acre tract (residue portion) (calls S. 19°15'31" W., 436.66 feet) to the POINT OF BEGINNING and containing **18.589 acres of land**.

\*\*\*\*\*

STATE OF TEXAS  
COUNTY OF BELL

DATE OF SURVEY  
12/05/2017

18.589 ACRES

I, Bruce L. Bryan, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground under my supervision.

Bruce Lane Bryan  
Registered Professional Land Surveyor #4249  
TSPLS FIRM No. 10128500  
www.bryantechnicalservices.com

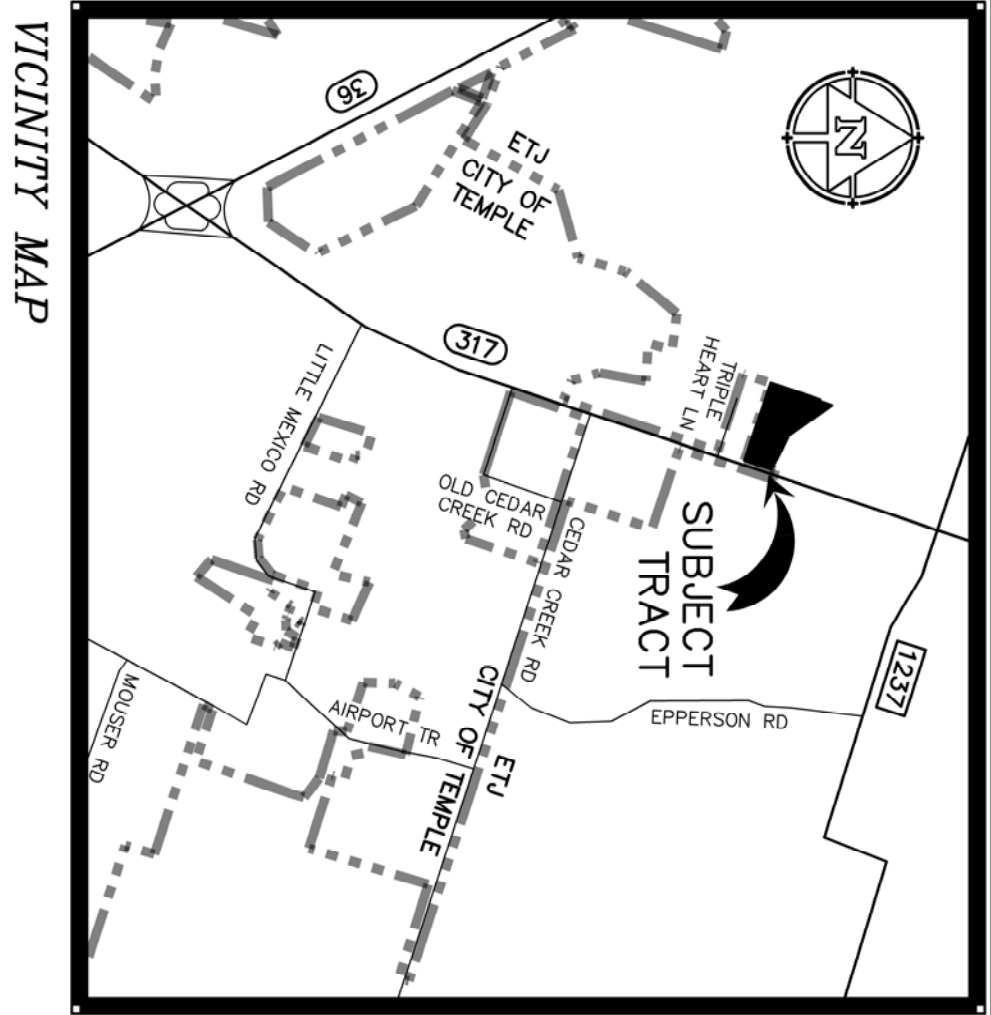
01-02-18  
Date



NOTE: Bearings shown hereon based on Texas State plane coordinate system (Central Zone 4203, NAD 83, 93 Adjustments. Distances are shown as grid values. See attached surveyor's plat, which accompanies this set of field notes.



SARAH FITZHENRY SURVEY,  
ABSTRACT NO. 312

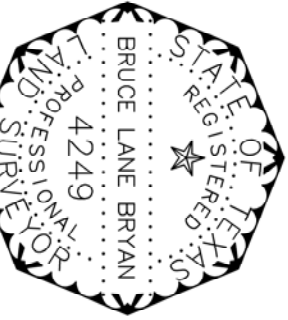


- SURVEYOR'S NOTES:
1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, 93 ADJUSTMENT.
  2. THE PROPERTY DEPICTED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) EFFECTIVE DATE SEPTEMBER 28, 2008. LOCATED IN ZONE "X" (UNSHADED). NO PORTION OF THIS PROPERTY LIES WITHIN THE 100 YEAR FLOODPLAIN ACCORDING TO THE 2008 FEMA MAP CITED.
  3. ALL SET IRON RODS HAVE ORANGE PLASTIC CAPS STAMPED BRYAN TECH SERVICES.
  4. THERE IS A METES AND BOUNDS DESCRIPTION WHICH ACCOMPANIES THIS SURVEY.

STATE OF TEXAS  
COUNTY OF BELL  
KNOW ALL MEN BY THESE PRESENTS:

I, BRUCE LANE BRYAN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION AND PROPERTY DEVELOPMENT REGULATIONS OF THE CITY OF TEMPLE, TEXAS.

BRUCE LANE BRYAN  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4249  
911 NORTH MAIN  
TAYLOR, TX 76774



18.589 ACRES MORE FULLY DESCRIBED BY METES AND BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT.  
TRACT SURVEYED NOVEMBER 7, 2017

SURVEY OF:  
18.589 ACRES

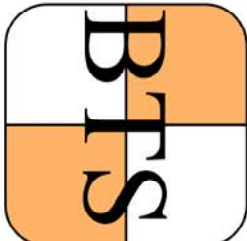
OUT OF AND A PART OF THE  
SARAH FITZHENRY SURVEY, ABSTRACT #312  
IN THE EXTRATERRITORIAL JURISDICTION  
OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS



18.589 ACRES  
SURVEY



BRYAN TECHNICAL SERVICES, INC.



611 NORTH MAIN  
TAYLOR, TX 76774  
PHONE: (512) 355-0606  
FAX: (512) 355-0601  
FIRM NO. 10128500  
surveying@ausintn.com

NO.	DATE	REVISIONS	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			
50			
51			
52			
53			
54			
55			
56			
57			
58			
59			
60			
61			
62			
63			
64			
65			
66			
67			
68			
69			
70			
71			
72			
73			
74			
75			
76			
77			
78			
79			
80			
81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			

# SCHEDULE

## Voluntary Annexation – 18.589 Acres (Virgil Smith)

DATE	ACTION	TIME LIMIT/NOTES
<b>01-04-18</b>	<b>CITY RECEIVES PETITION</b> of landowner to annex area adjacent to city limits; fewer than 3 qualified voters reside in the area.	N/A
<b>02-01-18</b> <b>Regular Meeting</b>	<b>COUNCIL ADOPTS RESOLUTION</b> 1. Granting petition (28th day after petition filed); 2. Directing staff to develop service plans; and 3. Setting dates, times, places for public hearings	1. Hear and grant or deny petition after the 5 <sup>th</sup> day, but on or before the 30 <sup>th</sup> day after petition is filed. 2. Council must direct Staff to develop the services plan before publication of notice of 1 <sup>st</sup> hearing required under § 43.063 LGC. § 43.065 LGC
<b>02-08-18</b>	<b>CITY SECRETARY MAILS NOTICES TO</b> 1. Property owners 2. Public and private service entities 3. Railroads <i>35th day before 1<sup>st</sup> public hearing</i>	Before the 30 <sup>th</sup> day before the date of the first hearing required under § 43.063. § 43.062(b) LGC
<b>03-02-18</b>	<b>CITY SECRETARY SENDS NOTICE TO</b> Public school districts located in annexation area <i>13th day before 1<sup>st</sup> public hearing</i>	Within the period prescribed for publishing the notice of the 1 <sup>st</sup> hearing under § 43.063 LGC
<b>03-04-18</b>	<b>CITY SECRETARY PUBLISHES NOTICES FOR PUBLIC HEARINGS ON ANNEXATION</b> Posts notice on City web site Publishes notice in Telegram <i>11<sup>th</sup> day before 1<sup>st</sup> public hearing</i> <i>12<sup>th</sup> day before 2<sup>nd</sup> public hearing</i>	Publish hearing notice on or after the 20 <sup>th</sup> day but before the 10 <sup>th</sup> day before the date of the hearing § 43.063(c)LGC
<b>03-14-18</b>	<b>RESIDENTS' LAST DAY TO FILE PROTEST</b> <i>10<sup>th</sup> day after publication of hearing notice</i>	Hold one hearing in area proposed for annexation if more than 10% of adults who are permanent residents of area file written protest within 10 days after publication of notice. § 43.063(b) LGC
<b>03-15-18</b> <b>Regular meeting</b>	<b>COUNCIL HOLDS 1<sup>st</sup> PUBLIC HEARING</b> Staff presents service plan <i>35th day before 1<sup>st</sup> reading of ordinance</i>	Hold hearings on or after the 40 <sup>th</sup> day but before the 20 <sup>th</sup> day before the date of institution of annexation proceedings with 1 <sup>st</sup> reading of ordinance. § 43.063(a) LGC.
<b>03-16-18</b> <b>Special meeting</b>	<b>COUNCIL HOLDS 2<sup>nd</sup> PUBLIC HEARING</b> Staff presents service plan <i>34th day before 1<sup>st</sup> reading of ordinance</i>	Hold hearings on or after the 40 <sup>th</sup> day but before the 20 <sup>th</sup> day before the date of institution of annexation proceedings with 1 <sup>st</sup> reading of ordinance. LGC § 43.063(a)
<b>04-19-18</b> <b>Regular Meeting</b>	<b>COUNCIL CONSIDERS ANNEXATION ORDINANCE ON 1<sup>ST</sup> READING &amp; HOLDS PUBLIC HEARING</b>	First reading institutes proceedings for purposes of statutory time limits.
<b>05-03-18</b> <b>Regular Meeting</b>	<b>COUNCIL CONSIDERS ANNEXATION ORDINANCE ON 2<sup>ND</sup> READING</b> <i>14<sup>th</sup> day from 1<sup>st</sup> reading</i>	Complete annexation proceedings within 90 days from 1 <sup>st</sup> reading. § 43.064(A) LGC.



DATE	ACTION	TIME LIMIT/NOTES
	<b>INFORMATION TECHNOLOGY SERVICES PREPARES AMENDED CITY MAP</b> 1. Amended City limit boundary 2. Amended City ETJ boundary	

	<b>CITY SECRETARY SENDS NOTICES TO:</b>  <b>TEXAS SECRETARY OF STATE</b> 1. Copy of annexation ordinance 2. Annexation map 3. Statement that annexation is not involved in any litigation	Secretary of State certifies to U. S. Department of Commerce that annexation was valid. <i>[No citation found.]</i>
	<b>VOTER REGISTRAR FOR BELL COUNTY</b> 1. Map in format compatible with mapping format used by registrar's office.	Not later than the 30 <sup>th</sup> day after the date the change is adopted. § 42.0615 Election Code  The County Election Administrator is the Voter Registrar for Bell County.
	<b>STATE COMPTROLLER, SALES TAX DIVISION</b> 1. Annexation ordinance 2. Map showing whole municipality	§ 321.102 Tax Code Delivery of notice affects implementation of tax collection.
	<b>BELL COUNTY CLERK</b> 1. Certified copy of annexation ordinance including legal description of annexed area.	Within 30 days after obtaining preclearance for the annexation under the Federal Voting Rights Act. § 41.0015 LGC
	<b>BELL COUNTY CLERK</b> 1. Certified copy of annexation ordinance 2. Copy of petition	For annexation of Sparsely Occupied Area on Petition of Area Landowners § 43.028(f)
	<b>PUC AND FRANCHISEES</b> Utility, telecommunication, transportation, and EMS providers	
	<b>TxDOT</b> If state road is affected.	
	<b>TEXAS COMMISSION ON FIRE PROTECTION</b>	<i>[No citation found. No information found on Commission's web site.]</i>
	<b>U. S. BUREAU OF THE CENSUS</b>	<i>[Or does SOS notify Bureau of the Census?]</i>

	<b>CITY ATTORNEY SENDS INFORMATION TO U. S. ARMY CORPS OF ENGINEERS:</b> 1. Ordinance 2. Map 3. Service plan 4. Copies of pertinent laws /regulations	If annexation affects Corps' property. Army Regulation 405-25
--	---	--

ORDINANCE NO. 2018-4909

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, ANNEXING APPROXIMATELY 18.589 ACRES OF LAND OUT OF THE SARAH FITZHENRY SURVEY, ABSTRACT NO. 312, IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND LOCATED AT 14220 STATE HIGHWAY 317; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, Virgel Smith filed a petition on January 4, 2018, seeking voluntary annexation of 18.589 acres into the City of Temple - voluntary annexation is governed by Section 43.028 of the Texas Local Government Code and applies only to the annexation of an area that is (1) less than one-half mile in width, (2) contiguous to the annexing municipality, and (3) vacant and without residents or on which fewer than three qualified voters reside;

**Whereas**, on February 1, 2018, Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule to consider the annexation of the subject property - the two public hearings took place at City Council meetings held on March 15, 2018 and March 16, 2018; and

**Whereas**, the City Council has considered these matters and deems it in the public interest to authorize these actions.

**NOW, THEREFORE, BE IT ORDAINED 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 property consisting of approximately 18.589 acres of land out of the Sarah Fitzhenry Survey, Abstract No. 312, in the extraterritorial jurisdiction of the City of Temple, Bell County, Texas, and located at 14220 State Highway 317, described in Exhibit 'A' attached hereto, is hereby annexed and brought within the corporate limits of the City of Temple, Bell County, Texas, and is made an integral part thereof.

**Part 3:** The service plan submitted in accordance with Chapter 43 of the Texas Local Government Code is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit "B."

**Part 4:** The official map and boundaries of the City of Temple are hereby amended so as to include the annexed Property as part of the City of Temple.

**Part 5:** The annexed Property shall be zoned at a future date, in compliance with the Zoning Ordinance of the City of Temple.

**Part 6:** The annexed Property shall be included in, and become a part of, the City of Temple City Council Election District Number 4.

**Part 7:** If the taking of any territory annexed by this Ordinance is declared by a court of competent jurisdiction to be invalid and/or illegal, it shall not affect the balance of the property annexed and attempted to be annexed, and that property shall remain as part of the City of Temple, Texas. It is the intent of this Ordinance that any territory that is not lawful for the City to incorporate be excluded from this annexation and that such exclusion be documented by having a qualified surveyor correct the property description of the annexed area to conform to the Council's intention and to ensure that the boundary description closes.

**Part 8: Severability.** 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 and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section.

**Part 9: Effective Date.** 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 10: Open Meetings.** 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.

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **April**, 2018.

PASSED AND APPROVED on Second and Final Reading on the **3<sup>rd</sup>** day of **May**, 2018.

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

---

04/19/18  
Item #8  
Regular Agenda  
Page 1 of 4

### **DEPT. / DIVISION SUBMISSION & REVIEW:**

Lynn Barrett, Assistant Planning Director

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING Z-FY-18-12: Consider adopting an ordinance authorizing a rezoning with a site/development plan for 70.688 +/- acres, from Agricultural zoning district to Planned Development Single Family Two zoning district, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at the northwest corner of East Blackland Road and Little River Road (Old 95), Temple Texas.

**STAFF RECOMMENDATION:** Based on the following, staff recommends approval with conditions for a rezoning from the current AG zoning district to the PD-SF-2 zoning district for the following reasons:

1. That the proposed Development Plan/Site Plan reflects compliance with the provisions of the Planned Development Criteria as required by Unified Development Code (UDC) Section 3.4.5;
2. The request complies with the Thoroughfare Plan and Trails Master Plan; and
3. Public facilities are available to serve the subject property.

### **PD Conditions:**

1. Streets to be 60 feet ROW, 31 feet back of curb including 14.5 foot wide public frontage on each side with 9.5 feet landscaped transition behind the curb and five foot sidewalks on both sides
2. Trees (2" diameter at breast height) planted every fifty feet within the frontage and in each front yard except at the corners
3. Front yard landscaping
4. Mixture of masonry (brick, stucco, hardiplank), stone and/or wood exterior finishing on homes
5. Fences on all boundary perimeters
6. Enclosed garages
7. 1.34 acres of usable green space for private parks, which is part of 5.86 acres of greenspace including drainage areas
8. Trail plan to meander through existing trees behind the lots on the north edge of the development
9. Total investment in private park amenities would equal or exceed the amount of required park fees and would be implemented in phasing with subdivision development
10. Parks would belong to and be maintained by a subdivision Home Owner's Association



**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their March 19, 2018 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the rezoning to PD SF-2 with development/site plan per staff's recommendation.

**ITEM SUMMARY:**

The applicant, Emilio Perales, proposes to develop a subdivision with wider street ROW to accommodate sidewalks on both sides of each interior street. A meandering trail is also planned along one side of the subject property, Tract A, along with other recreational amenities in open space areas set aside next to drainage areas.

Maximum lot count is proposed at 332 with an overall density of 4.6 lots per acre.

Average lot square footage will be 6,000 square feet, consistent with base zoning district of SF-2.

**This proposed subdivision is in Temple Independent School 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.

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

Direction	FLUP	Zoning	Current Land Use
Subject Property	T-MED	AG	Cropland
North	T-MED	LI	Church and Tractor Supply
South	Agricultural/Rural	SF-1	Blackland Research
East	Suburban Residential	C and AG	Vacant
West	T-MED	SF-1	Blackland Research

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

Document	Policy, Goal, Objective or Map	Compliant?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Partial
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

*CP = Comprehensive Plan    STP = Sidewalk and Trails Plan*

Future Land Use Map (CP Map 3.1)

In the FLUM, the subject property is designated as the T-MED character district. This district is intended for development to encourage walkability, higher landscaping and design standards.

The proposal is in compliance with the FLUM as future T-MED since the subdivision is designed as a Planned Development to incorporate greater pedestrian access, a meandering trail, sidewalks on both sides of the street buffered by trees along the street. The development is planned to include recreational amenities also.

Thoroughfare and Trails Plan (CP Map 5.2)

The subject property takes access from Blackland Road, which is designated as a major arterial in the Thoroughfare Plan and from Little River Road, designated as a collector. Therefore, this request is compliant with the Thoroughfare Plan. A city trail is designated for Blackland, while the need for a sidewalk would be triggered along Little River Road.

Availability of Public Facilities (CP Goal 4.1)

Water is available to the subject property, while sewer service is accessible from two directions with future extensions.

**DEVELOPMENT REVIEW COMMITTEE:** As required by UDC Section 3.4.2 B, the Development/Site Plan for the proposed PD was reviewed by the Development Review Committee (DRC) on February 20, 2018. Site characteristics, parks and history of the property were discussed.

**PUBLIC NOTICE:** Nineteen notices were 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. As of noon on Tuesday, March 13<sup>th</sup>, 2018, one notices were received in disagreement; and three in agreement (two from former property owner) were returned, with two notices returned undeliverable (from the Agricultural Research Service office, a federal agency, in the DC area).

The newspaper printed notice of the public hearing on February 22, 2018 in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Development Site Plan](#)

[Aerial Map](#)

[Utility Map](#)

[Zoning Map](#)

[Site Photos](#)

[Future Land Use and Character Map](#)

[Thoroughfare & Trails Map](#)



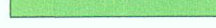
[Notification Map](#)

[Returned Property Notices](#)

[Ordinance](#)



LEGEND

SIDEWALK	
GREEN SPACE	
DRAINAGE	

- 60' ROW, 31' B-B
- 14.5' PUBLIC FRONTAGE
- 9.5' LANDSCAPED TRANSITION BEHIND CURB
- 5' SIDEWALKS THROUGHOUT
- TREE TO BE PLANTED EVERY 50' WITHIN PUBLIC FRONTAGE AND IN EACH FRONT YARD (50% EVERGREEN SPECIES)
- ENCLOSED GARAGES (20X20)
- MIXTURE OF MASONRY (BRICK, STUCCO, HARDBLANK) STONE AND/OR WOOD EXTERIOR FINISHING ON HOMES
- FENCES ON ALL BOUNDARY PERIMETERS



JOB NUMBER: 17-578

PAGE# 01





AG TO PD SF-2

## AERIAL MAP

Zoning Case :  
Z-FY-18-12

Address :  
Blackland/Little River Rd

### Transportation

Streets

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

### Parcel Features

- Parcels
- ETJ Parcels
- Production.SDE.Easement

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

Irbarrett  
Date: 2/21/2018







AG TO PD SF-2

UTILITY MAP

Zoning Case :  
Z-FY-18-12

Address :  
Blackland@LittleRiver Rd

Sewer

- Manhole
- Gravity Main

WaterDistribution

- ✚ Hydrant
- Main

Parcel Features

- ▭ Parcels
- ▭ Production.SDE.Easement

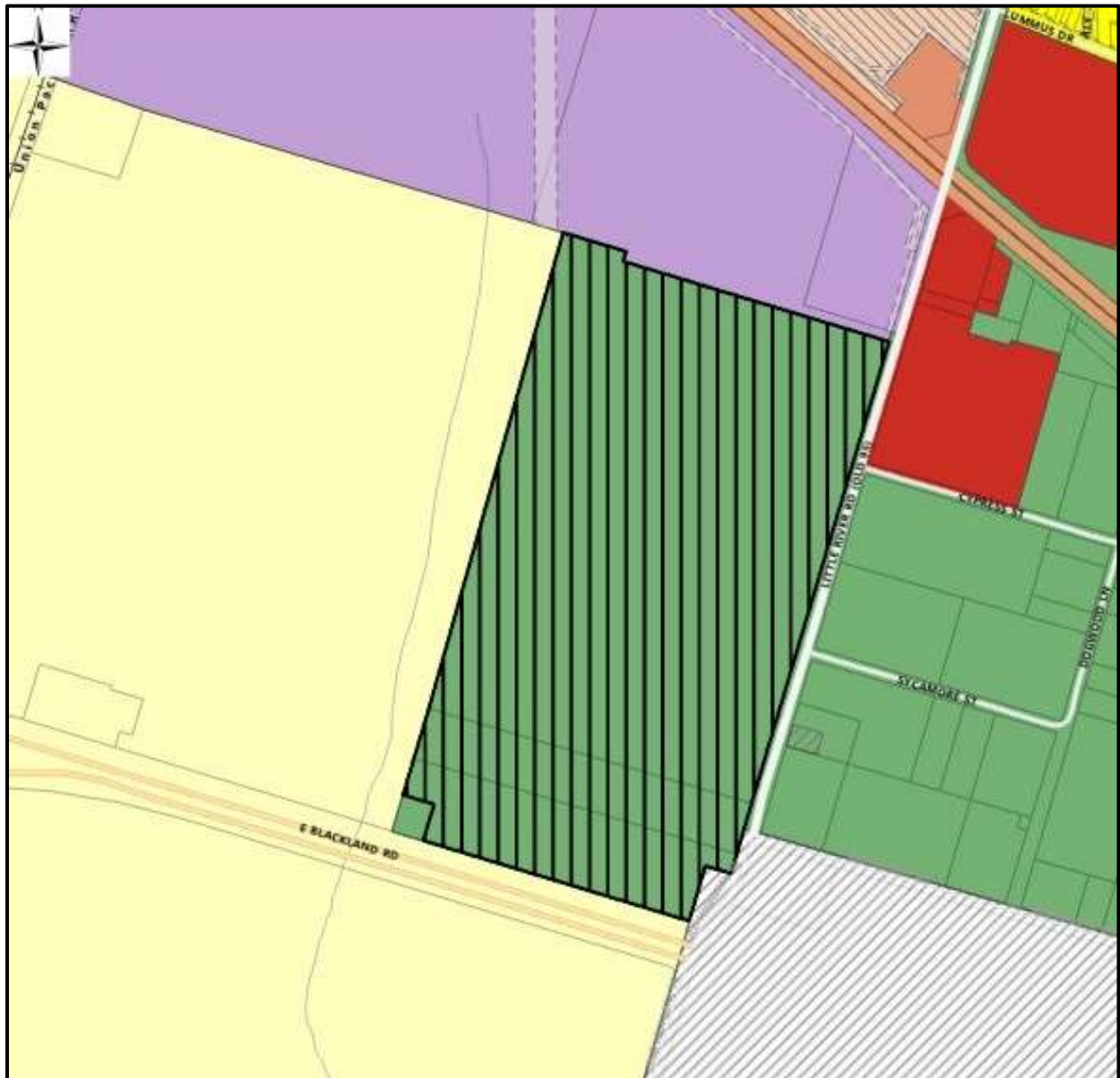
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

Irbarrett  
Date: 2/21/2018





# Zoning Map



## Site Photos



View from Blackland Road (above, below)



Property currently under cultivation





View to South at Subject Property along Little River Road



Looking South

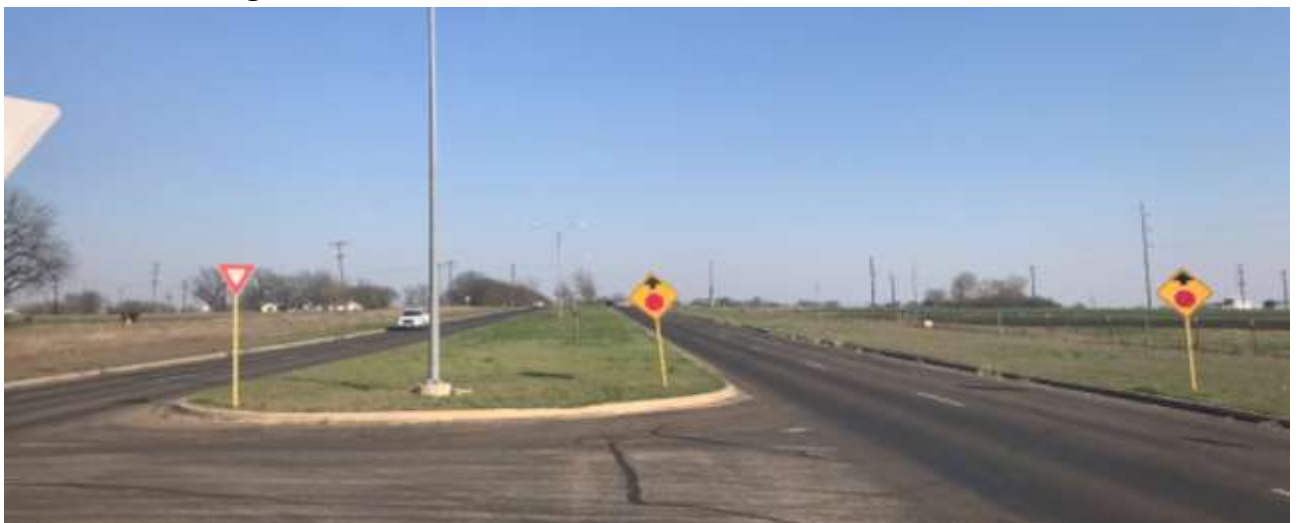
## VICINITY



Looking South across the street at more Blackland Research property



View West Along Blackland Road toward Fifth Street



Looking East Along Blackland Road toward Little River Road

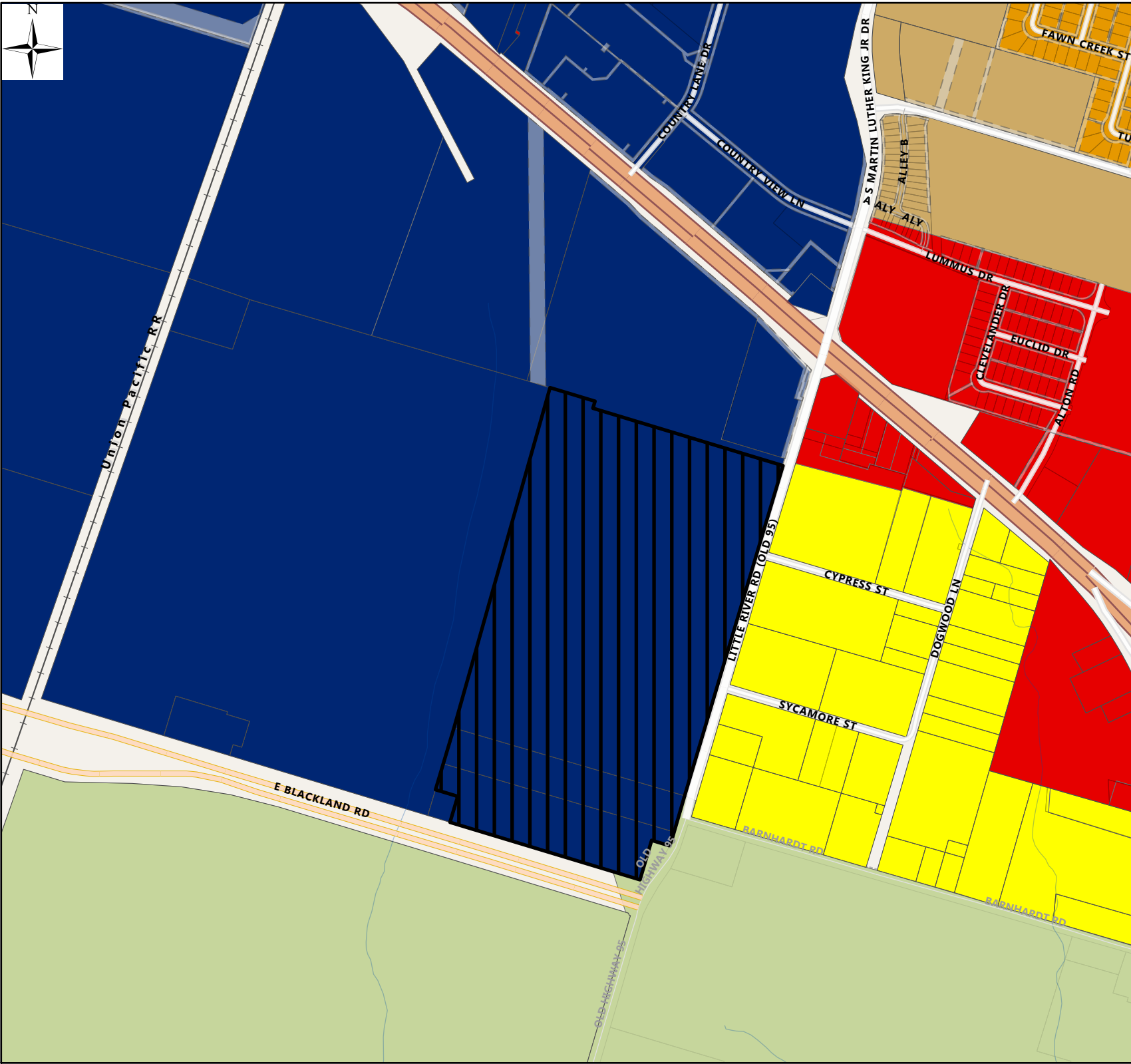


View to East across Little River Road



View North along Little River Road toward the Loop





# AG TO PD SF-2 FUTURE LAND USE MAP

Zoning Case :  
Z-FY-18-12

Address :  
Blackland/Little River Rd

## Transportation

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

## Parcel Features

- 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
- Production.SDE.Easement

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

Irbarrett  
Date: 2/21/2018





AG TO PD SF-2

# THOROUGHFARE AND TRAILS MAP

Zoning Case :  
Z-FY-18-12

Address :  
Blackland/Little River Rd

## Parcel Features

Parcels

### Thoroughfare Plan

- Expressway
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Collector
- Proposed Collector

- EXISTING, COMMUNITY WIDE CONNECTOR
- EXISTING, LOCAL CONNECTOR
- PROPOSED, CITY WIDE SPINE
- PROPOSED, COMMUNITY WIDE CONNECTOR
- PROPOSED, LOCAL CONNECTOR
- Production.SDE

### Trails Master Plan

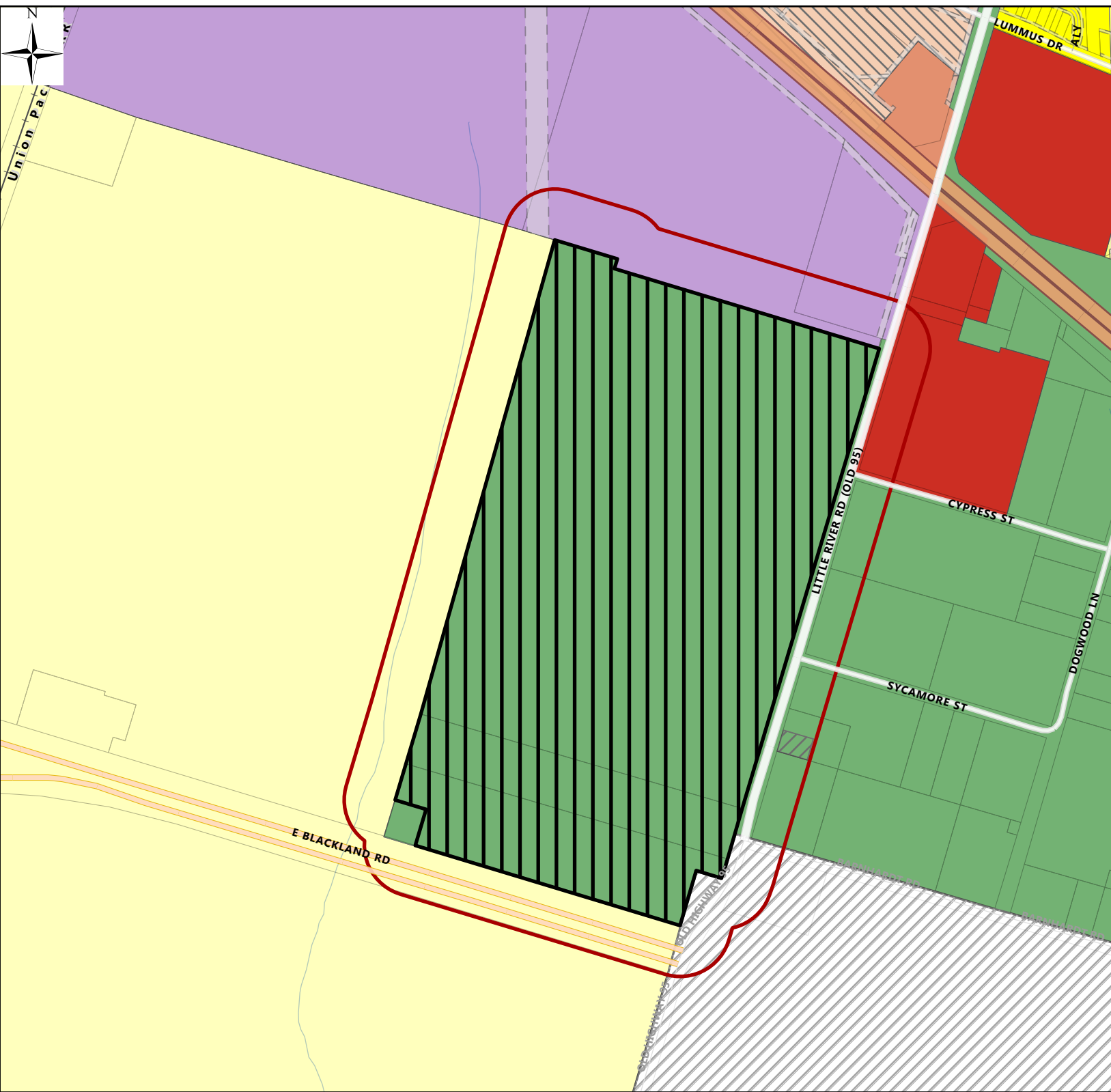
- EXISTING, CITY WIDE SPINE

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

Irbarrett

Date: 2/21/2018





AG TO PD SF-2

# 200' NOTIFICATION MAP

Zoning Case :

Z-FY-18-12

Address :

Blackland & Little River Rd

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

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

Irbarrett

Date: 2/21/2018







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

HOELSCHER, ALICE B 7 CLIFFORD  
4906 FIRESTONE DR  
COLLEGE STA, TX 77845-8926

**Zoning Application Number:** Z-FY-18-12

**Case Manager:** Lynn Barrett

Location: the northwest corner of East Blackland Road and Little River Road (Old 95)

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 *Please note - we will be on an overseas trip, Israel at the time of your hearing*  
*Feb 27, 2018*

**Comments:**

*Need land for Parks - (1) one acre - Children under 8 (2) 2 acres - all other children. Bike + walk path. School bus "drop off" and "pickup" location. 2 flag poles at entrance. A small dog park for pet owners.*

*Clifford E. Hoelscher*  
*Alice B. Hoelscher*  
**Signature**

*CLIFFORD HOELSCHER*  
*Alice B. Hoelscher*  
**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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

**RECEIVED**  
**MAR - 1 2018**  
City of Temple  
Planning & Development

Number of Notices Mailed: 19

Date Mailed: February 22, 2018

**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**

SMITH, LINDA COWAN  
3703 S INTERSTATE 35  
BELTON, TX 76513-9619

**RECEIVED**

MAR - 5 2018

City of Temple  
Planning & Development

**Zoning Application Number: Z-FY-18-12**

**Case Manager: Lynn Barrett**

Location: the northwest corner of East Blackland Road and Little River Road (Old 95)

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:**

---

---

---

---

Linda Cowan Smith

**Signature**

Linda Cowan 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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 19

Date Mailed: February 22, 2018

**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**

SMITH, LINDA COWAN  
3703 S INTERSTATE 35  
BELTON, TX 76513-9619

**RECEIVED**

MAR - 5 2018

City of Temple  
Planning & Development

**Zoning Application Number: Z-FY-18-12**

**Case Manager: Lynn Barrett**

Location: the northwest corner of East Blackland Road and Little River Road (Old 95)

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:**

---

---

---

---

Linda Cowan Smith  
**Signature**

Linda Cowan 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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 19

Date Mailed: February 22, 2018

**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**

MITCHELL, KENNETH H  
1005 SHADY RIVER CT N  
BENBROOK, TX 76126-2900

**Zoning Application Number: Z-FY-18-12**

**Case Manager: Lynn Barrett**

Location: the northwest corner of East Blackland Road and Little River Road (Old 95)

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

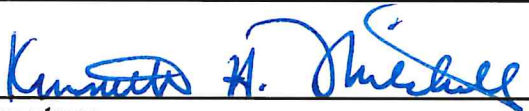
( ) disagree with this request

**RECEIVED**

**Comments:**

MAR - 1 2018

City of Temple  
Planning & Development

  
Signature

Kenneth H. Mitchell  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lrbartlett@templetx.gov](mailto:lrbartlett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 19

Date Mailed: February 22, 2018

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING AND SITE DEVELOPMENT PLAN ON APPROXIMATELY 70.688 ACRES FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT SINGLE FAMILY TWO ZONING DISTRICT, SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, AND LOCATED AT THE NORTHWEST CORNER OF EAST BLACKLAND ROAD AND LITTLE RIVER ROAD, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning and Site Development Plan from Agricultural Zoning District to Planned Development Single Family Two Zoning District, on approximately 70.688 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at the northwest corner of East Blackland Road and Little River Road (Old 95), Temple Texas; and

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

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

**Part 1: 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 a rezoning from Agricultural Zoning District to Planned Development Single Family Two Zoning District on approximately 70.688 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at the northwest corner of East Blackland Road and Little River Road (Old 95), Temple Texas, as more thoroughly described by the site development plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes along with the following conditions:

1. Streets to be 60 feet right-of-way, 31 feet back of curb including 14.5-foot-wide public frontage on each side with 9.5 feet landscaped transition behind the curb and five-foot sidewalks on both sides;
2. Trees (2" diameter at breast height) planted every fifty feet within the frontage and in each front yard except at the corners;
3. Front yard landscaping;

4. Mixture of masonry (brick, stucco, hardiplank), stone and/or wood exterior finishing on homes;
5. Fences on all boundary perimeters;
6. Enclosed garages;
7. 1.34 acres of usable green space for private parks, which is part of 5.86 acres of greenspace including drainage areas;
8. Trail plan to meander through existing trees behind the lots on the north edge of the development;
9. Total investment in private park amenities would equal or exceed the amount of required park fees and would be implemented in phasing with subdivision development; and
10. Parks would belong to and be maintained by a subdivision Homeowner's Association.

**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 **19<sup>th</sup>** day of **April**, 2018.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **May**, 2018.

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

---

04/19/18  
Item #9  
Regular Agenda  
Page 1 of 4

### **DEPT. / DIVISION SUBMISSION & REVIEW:**

Lynn Barrett, Assistant Planning Director

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING Z-FY-18-14: Consider adopting an ordinance authorizing a rezoning with a site/development plan from General Retail zoning district to Planned Development General Retail zoning district to allow the following C uses: major vehicle repair, equipment sales and rentals, auto sales, auto and truck rental, Freeman Heights, Block 30, Lot 3-6, located at 311 South 25th Street, Temple, Texas.

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

1. That the proposed Development Plan/Site Plan reflects compliance with the provisions of the Planned Development Criteria as required by Unified Development Code (UDC) Section 3.4.5;
2. The base zoning remains GR with the PD-GR bringing forward those C uses on Lots 3-6 desired by the applicant: major auto repair, auto and equipment sales and rentals; auto and truck rentals;
3. That the PD request complies with UDC, Section 5.3.19 that states for any auto sales use - new or used, outdoor lot that the office must be less than 10% of the lot area;
4. That the request complies with UDC, Section 5.3.22 that states for Vehicle Servicing-major any auto servicing occurs inside a building and any vehicle parts stored outside must be behind a building, screened from public view and occupy less than 10% of the lot;
5. The request is in compliance with the Future Land Use Map (FLUM) Auto-Urban Commercial character district designation and current auto uses nearby along South 25<sup>th</sup> Street;
6. The proposed zoning is compatible with surrounding zoning;
7. The request complies with the Thoroughfare Plan and Trails Master Plan; and
8. Public facilities serve the subject property.

**PD Conditions:**

1. Allowing for the major vehicle repair, equipment sales and rentals, auto sales, auto and truck rentals uses
2. No parking of any vehicles or inventory will occur on non-paved surfaces
3. Any auto/truck repair must occur inside the building
4. No parking or storage of inventory allowed in the street ROW
5. No outside parts storage unless completely screened behind the building
6. All building alterations required to obtain building permits
7. Any additional paving requires a building permit
8. Pave rear entry drive to building, and any additional area needed for inventory storage
9. Building to be kept in good repair; repaint/re-stucco as needed
10. Any refuse, rubbish or other materials removed; premises to be kept mowed
11. Remove old sign pole and base in ROW
12. Any new signage added on subject property requires a permit
13. Landscape beds in ROW at front of grassed property with river rock, minimum of 2" with weed barrier, and drought resistant plants such as red yucca will be required to be added when any alterations are made to empty lots, including addition of parking

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their March 19, 2018 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the rezoning to PD SF-2 with development/site plan per staff's recommendation.

**ITEM SUMMARY:** The applicant, Kelum Pellawata, owns an existing building and improved parking on two of four contiguous lots and has previously had auto servicing uses at that location. He is requesting major vehicle servicing, equipment sales and rentals, auto sales, auto and truck rentals as Commercial (C) uses for the lot, while retaining the base GR zoning for other allowed uses. Two of the four lots are unimproved and will require additional landscaping if developed. Conditions include no parking of vehicles on unimproved surfaces. Applicant agrees to remove an old noncompliant sign, pave the rear drive and has improved the front of the building.

**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. Uses requested:

Auto sales, major vehicle servicing and equipment sales/rentals; auto/truck rental with storage of inventory on paved surfaces only and all repair to occur inside the existing building. Improvements will include removal of old signage and improving the front facade.

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

Direction	FLUP	Zoning	Current Land Use
<b>Subject Property</b>	<b>Auto Urban Commercial</b>	<b>GR</b>	<b>Partially Developed</b>
North	Auto Urban Commercial	PD-C	Auto Repair
South	Auto Urban Commercial	C	Commercial
East	Neighborhood Conservation	2F	Residential
West	Neighborhood Conservation	2F	Residential

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

Document	Policy, Goal, Objective or Map	Compliant?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

CP = Comprehensive Plan    STP = Sidewalk and Trails Plan

**Future Land Use 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 at major intersections and along commercial corridors such as 25<sup>th</sup> Street.

The proposal is in compliance with the FLUM and current zoning as it includes several proposed commercial uses that are similar to many along South 25<sup>th</sup> Street.



Thoroughfare Plan (CP Map 5.2)

The subject property takes access from South 25<sup>th</sup> Street, which is designated as minor arterial in the Thoroughfare Plan and West Avenue D, a local street. Therefore, this request is compliant with the Thoroughfare Plan.

Availability of Public Facilities (CP Goal 4.1)

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

**DEVELOPMENT REVIEW COMMITTEE:** As required by UDC Section 3.4.2 B, the Development/Site Plan for the proposed PD was reviewed by the Development Review Committee (DRC) on February 20, 2018. Site characteristics and history of the property were discussed.

**PUBLIC NOTICE:** Twenty-six notices were mailed to property owners within the 200 feet buffer area of the subject property. The notices included information on the public hearing as required by State Law and City Ordinance. As of noon on Tuesday, March 13<sup>th</sup>, 2018, one notices were received in disagreement; and five in agreement were returned, with zero notice returned undeliverable.

The newspaper printed notice of the public hearing on February 22, 2018 in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Aerial Map](#)  
[Utility Map](#)  
[Zoning Map](#)  
[Site Photos](#)  
[Future Land Use and Character Map](#)  
[Thoroughfare & Trails Map](#)  
[Notification Map](#)  
[Returned Property Notices](#)  
[Ordinance](#)



GR TO PD GR

AERIAL MAP

Zoning Case :  
Z-FY-18-14

Address :  
311 s 25th st

Transportation

- Streets
- COLLECTOR
  - LOCAL STREET
  - MINOR ARTERIAL
- Temple Municipal Boundary

Parcel Features

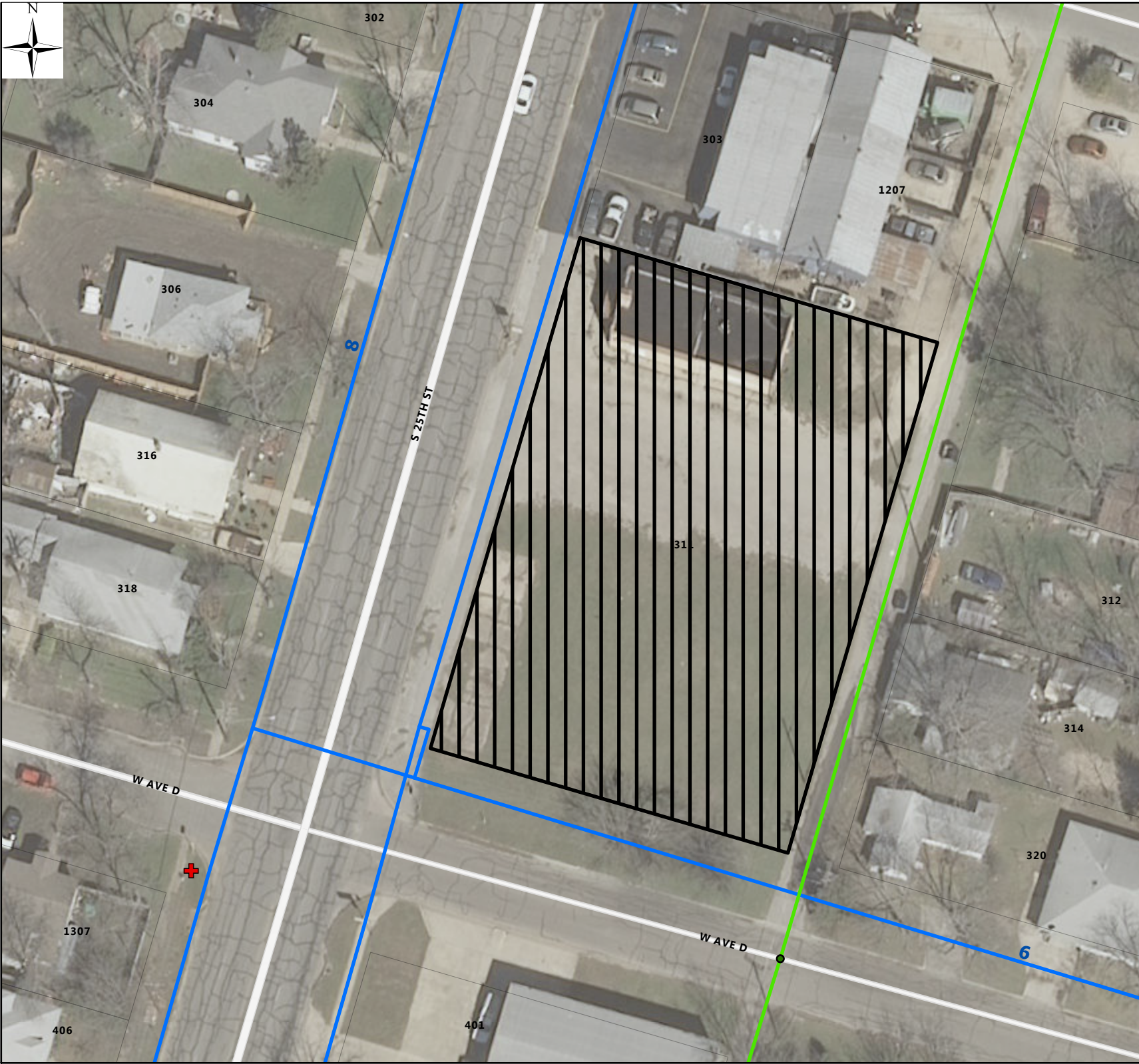
- Parcels

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

Irbarrett  
Date: 2/21/2018







GR TO PD GR

## UTILITY MAP

Zoning Case :  
Z-FY-18-14

Address :  
6746 W ADAMS AVE  
**Sewer**

● Manhole

— Gravity Main

## WaterDistribution

+ Hydrant

— Main

## Parcel Features

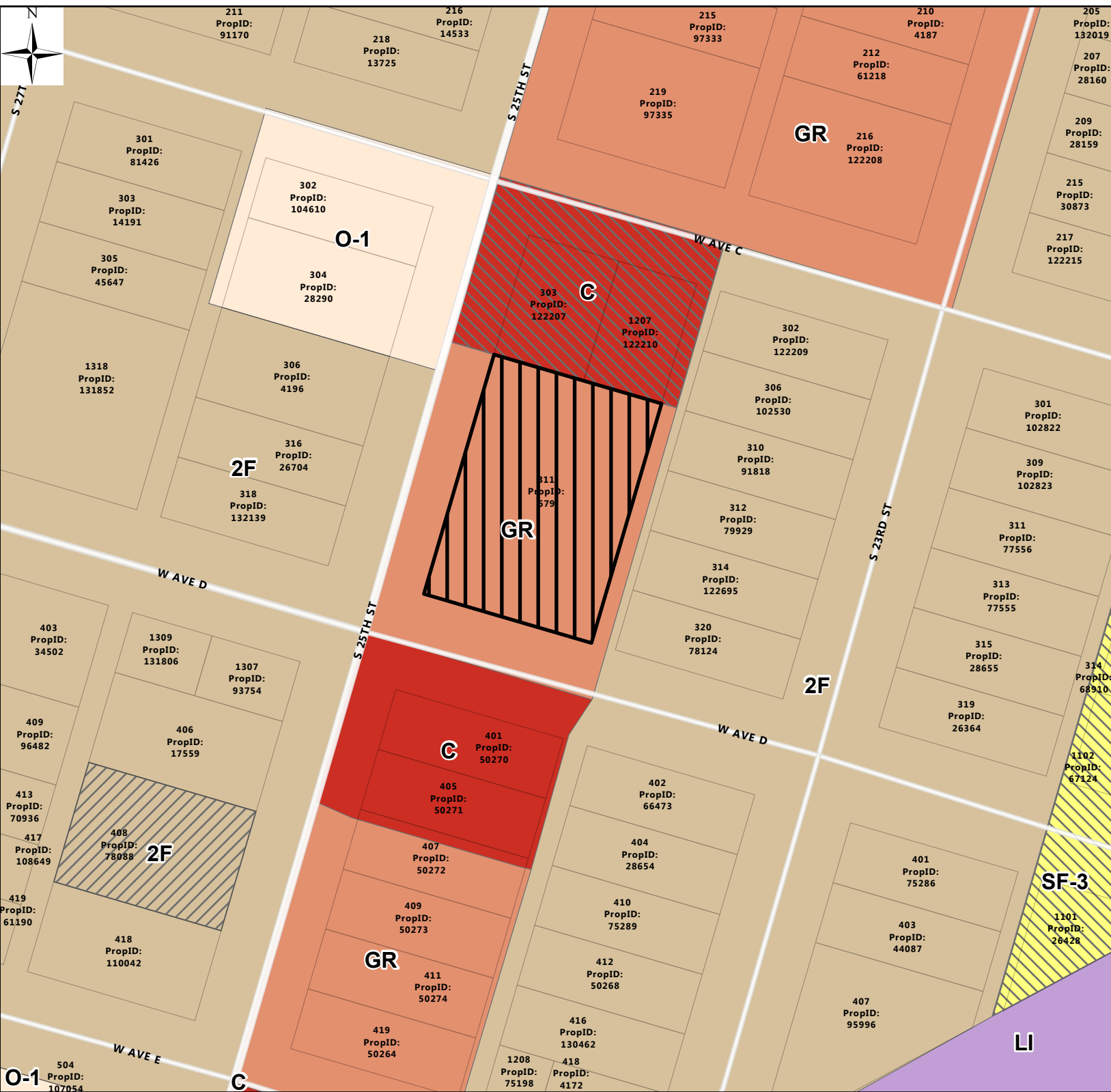
□ Parcels

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

Irbarrett  
Date: 2/21/2018







GR TO PD-GR

## 200' NOTIFICATION MAP

Zoning Case :  
Z-FY-18-13  
Address :  
311 S 25th St

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

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

Irbarrett

Date: 2/21/2018



## SITE PHOTOS





**Conditions** will include removal of current sign, not blocking the ROW with inventory and paving the rear driveway to the back of the building.



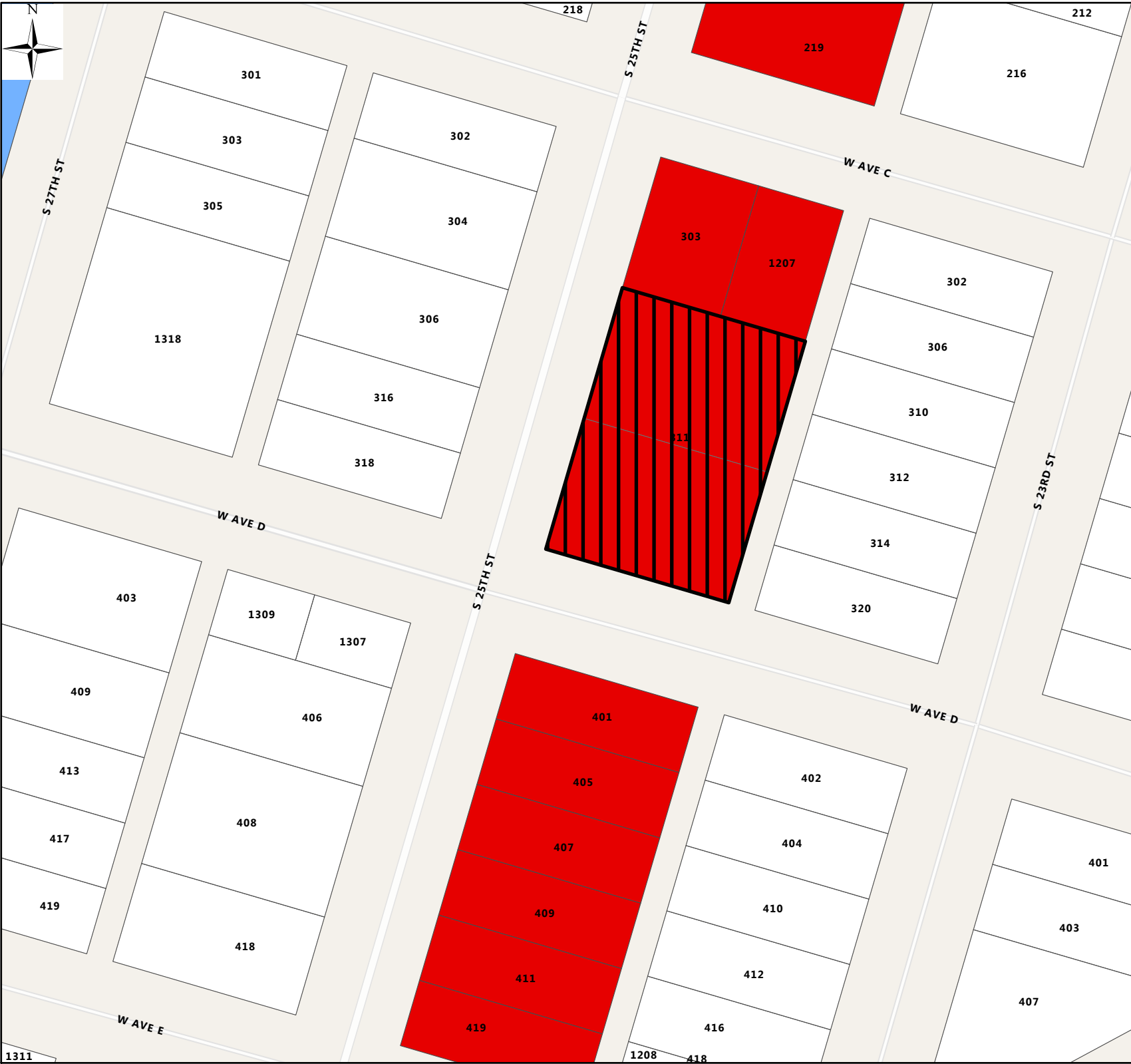


## AREA PHOTOS



Residential Across 25<sup>th</sup> above and residential to the rear across the alley (below), commercial to North





GR TO PD-GR

## FUTURE LAND USE MAP

Zoning Case :  
Z-FY-18-14

Address :  
6746 W ADAMS AVE

### Transportation

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

### Parcel Features

- 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

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

Irbarrett  
Date: 2/21/2018





# GR TO PD-GR THOROUGHFARE AND TRAILS MAP

Zoning Case :  
Z-FY-18-14

Address :  
311 S 25th St

## Parcel Features

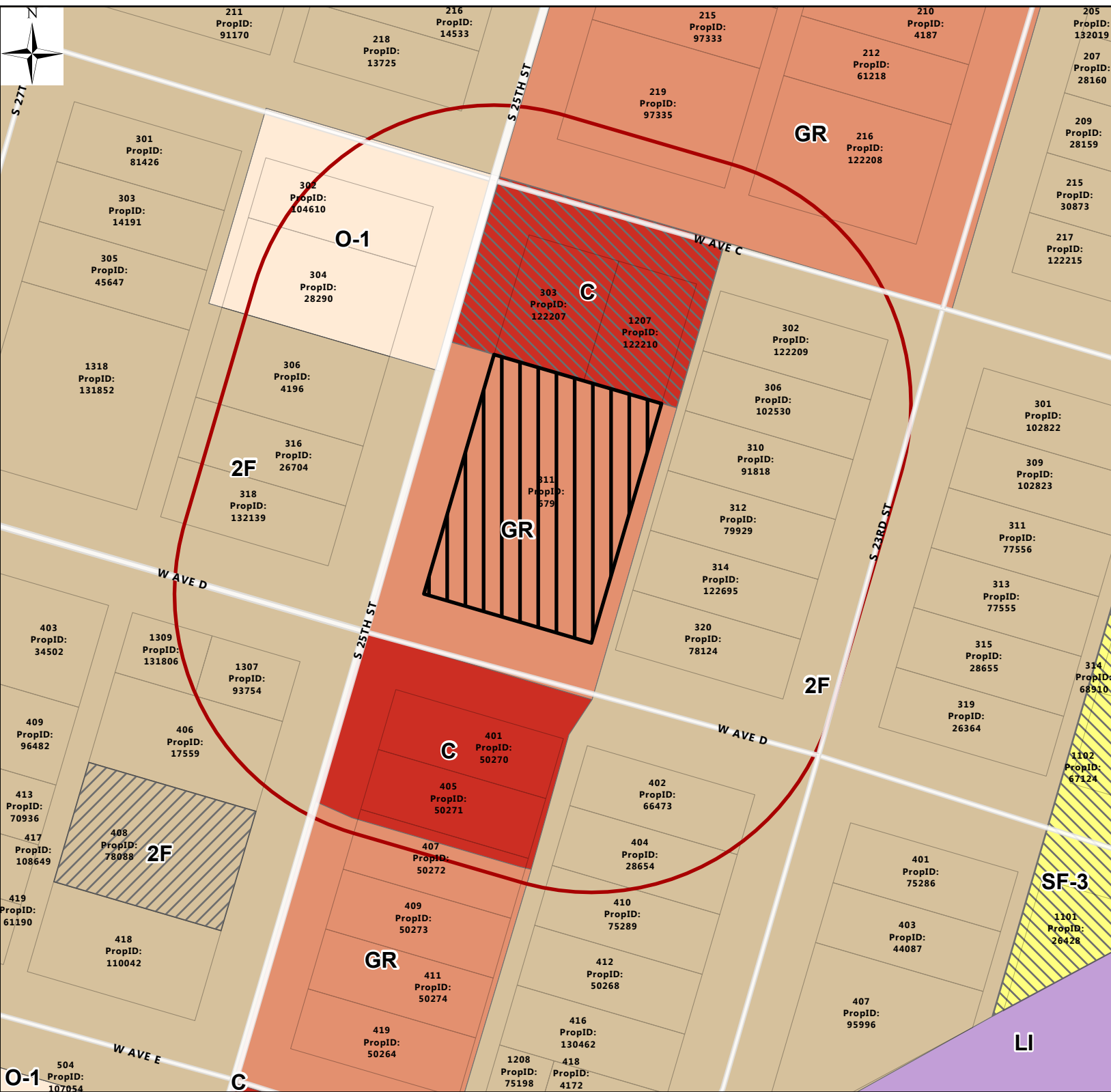
- |                         |   |
|-------------------------|---|
| Parcels                 | Trails Master Plan<br>EXISTING, CITY WIDE SPINE |
| Expressway              | EXISTING, COMMUNITY WIDE CONNECTOR              |
| Major Arterial          | EXISTING, LOCAL CONNECTOR                       |
|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

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

Irbarrett  
Date: 2/21/2018







GR TO PD-GR

# 200' NOTIFICATION MAP

Zoning Case :  
Z-FY-18-13  
Address :  
311 S 25th St

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

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

Irbarrett  
Date: 2/21/2018





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

YOUNGBLOOD, SILVESTER  
3901 MARIAM RD  
TEMPLE, TX 76502-2838

**Zoning Application Number:** Z-FY-18-14

**Case Manager:** Lynn Barrett

**Location:** 311 South 25<sup>th</sup> 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

(X) disagree with this request

**Comments:**

I DISAGREE TO THIS REZONING REQUEST BECAUSE MY  
PROPERTY IS A HOME, A PLACE OF DWELLING, NOT OF ANY  
FORM OF RETAIL IS THIS PROPERTY USED FOR

Silvester Youngblood  
Signature

Silvester Youngblood  
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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

RECEIVED  
MAR - 1 2018  
City of Temple  
Planning & Development

Number of Notices Mailed: 26

Date Mailed: February 22, 2018

**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**

VALENTA, DONALD FRANK  
1153 LA MOTTE DR  
TROY, TX 76579-3526

**Zoning Application Number:** Z-FY-18-14

**Case Manager:** Lynn Barrett

Location: 311 South 25<sup>th</sup> 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:**

RECEIVED

MAR - 2 2018

City of Temple  
Planning & Development

\_\_\_\_\_  
**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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 26

Date Mailed: February 22, 2018

***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**

VALENTA, DONALD F  
1153 LA MOTTE DR  
TROY, TX 76579-3526

**Zoning Application Number:** Z-FY-18-14

**Case Manager:** Lynn Barrett

**Location:** 311 South 25<sup>th</sup> 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:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED

MAR - 2 2018

City of Temple  
Planning & Development

**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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 26

Date Mailed: February 22, 2018

***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**

VALENTA, DONALD FRANK  
1153 LA MOTTE DR  
TROY, TX 76579-3526

**Zoning Application Number: Z-FY-18-14**

**Case Manager: Lynn Barrett**

Location: 311 South 25<sup>th</sup> 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:**

**RECEIVED**

MAR - 2 2018

City of Temple  
Planning & Development

**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, [lrbarrett@templetx.gov](mailto:lrbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

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

Number of Notices Mailed: 26

Date Mailed: February 22, 2018

***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**

JIRASEK, RAYMOND DAVID ETUX REBECKA JEAN  
8088 CEDAR CREEK RD  
TEMPLE, TX 76504-6096

**Zoning Application Number: Z-FY-18-14      Case Manager: Lynn Barrett**

**Location: 311 South 25<sup>th</sup> 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:**

---

---

---

---

---

Rebecka J. Jirasek  
**Signature**

Rebecka Jean Jirasek  
**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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

**RECEIVED**

**MAR - 1 2018**

City of Temple  
Planning & Development

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

Number of Notices Mailed: 26

Date Mailed: February 22, 2018

**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**

JIRASEK, RAYMOND DAVID ETUX REBECKA JEAN  
8088 CEDAR CREEK RD  
TEMPLE, TX 76504-6096

**Zoning Application Number: Z-FY-18-14**

**Case Manager: Lynn Barrett**

Location: 311 South 25<sup>th</sup> 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:**

---

---

---

---

Raymond David Jirasek  
**Signature**

Raymond David Jirasek  
**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, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 5, 2018**.

**RECEIVED**

**MAR - 1 2018**

City of Temple  
Planning Department

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

Number of Notices Mailed: 26

Date Mailed: February 22, 2018

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

ORDINANCE NO. 2018-4911  
(Z-FY-18-14)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING AND SITE DEVELOPMENT PLAN FROM GENERAL RETAIL ZONING DISTRICT TO PLANNED DEVELOPMENT GENERAL RETAIL ZONING DISTRICT, TO ALLOW THE FOLLOWING COMMERCIAL USES: MAJOR VEHICLE REPAIR, EQUIPMENT SALES AND RENTALS, AUTO SALES, AUTO AND TRUCK RENTAL, ON PROPERTY LOCATED IN FREEMAN HEIGHTS, BLOCK 30, LOT 3-6, AND ADDRESSED AS 311 SOUTH 25TH STREET, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the applicant, Kelum Pellawata, owns an existing building and improved parking on two of four contiguous lots and has previously had auto servicing uses at that location – the applicant is requesting major vehicle servicing, equipment sales and rentals, auto sales, auto and truck rentals as Commercial uses for the lot, while retaining the base General Retail zoning for other allowed uses;

**Whereas**, two of the four lots are unimproved and will require additional landscaping if developed and the conditions will include no parking of vehicles on unimproved surfaces - applicant agrees to remove an old noncompliant sign, pave the rear drive and has already improved the front of the building;

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning and site development plan from General Retail zoning district to Planned Development General Retail zoning district, to allow the following Commercial uses: major vehicle repair, equipment sales and rentals, auto sales, auto and truck rental, located in Freeman Heights, block 30, lot 3-6, and addressed as 311 South 25<sup>th</sup> Street, Temple, Texas; and

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

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

**Part 1: 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 a rezoning from General Retail zoning district to Planned Development General Retail zoning district, to allow the following Commercial uses: major vehicle repair, equipment sales and rentals, auto sales, auto and truck rental, on property located in Freeman Heights, block 30, lot 3-6, and addressed as 311 South 25<sup>th</sup> Street, Temple, Texas, as more thoroughly described by the site development plan attached hereto as Exhibit ‘A,’ and made a part hereof for all purposes along with the following conditions:

1. Allowing for major vehicle repair, equipment sales and rentals, auto sales, auto and truck rentals uses;
2. No parking of any vehicles or inventory will occur on non-paved surfaces;
3. Any auto/truck repair must occur inside the building;
4. No parking or storage of inventory allowed in the street right-of-way;
5. No outside parts storage unless completely screened behind the building;
6. All building alterations required to obtain building permits;
7. Any additional paving requires a building permit;
8. Pave rear entry drive to building, and any additional area needed for inventory storage;
9. Building to be kept in good repair; repaint/re-stucco as needed;
10. Any refuse, rubbish or other materials removed; premises to be kept mowed;
11. Remove old sign pole and base in right-of-way;
12. Any new signage added on subject property requires a permit; and
13. Landscape beds in ROW at front of grassed property will include river rock, minimum of 2-inch with weed barrier, and drought resistant plants such as red yucca will be required to be added when any alterations are made to empty lots, including addition of parking.

**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 **19<sup>th</sup>** day of **April**, 2018.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **May**, 2018.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney