

ORDINANCE NO. {{item.sequential_number}}
(FY-25-2-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS AUTHORIZING A REZONING FROM AGRICULTURAL DISTRICT AND AGRICULTURAL DISTRICT WITH A CONDITIONAL USE PERMIT FOR TWO RECREATIONAL VEHICLE SPACES TO PLANNED DEVELOPMENT MULTI-FAMILY ONE AND PLANNED DEVELOPMENT NEIGHBORHOOD SERVICE WITH A SITE/DEVELOPMENT PLAN ON APPROXIMATELY 19.89 ACRES LOCATED IN THE BALDWIN ROBERTSON SURVEY, ABSTRACT NUMBER 17, CITY OF TEMPLE, BELL COUNTY, TEXAS, AND ADDRESSED AS 8570 PRAIRIE VIEW ROAD, 1814 SPLIT PEA ROAD, AND 1900 NORTH PEA RIDGE ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant is proposing a mixed-use development - neighborhood-serving retail on three to five acres at the southeast corner of the property, and residential on the remaining 15 to 17 acres;

Whereas, the applicant anticipates developing townhomes (similar to the North Ridge Townhome development) to the north, but would like flexibility for other residential uses to include multi-family - the proposed Planned Development (PD) with Multi-Family 1 (MF-1) as the base district allows a variety of residential uses to include detached and attached single-family, townhomes, duplex, tri-plex, four-plex, and apartments with a density of up to 15 dwelling units per acre;

Whereas, a PD condition limits the density of the residential uses to 12 dwelling units per acre, regardless of the residential type, which equates to a maximum of 204 dwelling units;

Whereas, the Neighborhood Service (NS) zoning district is proposed as the base district for the retail corner and a conceptual Development/Site Plan has been provided designating the general area of the non-residential uses and limiting this to a maximum of five acres with a three-acre minimum;

Whereas, this property has frontage along Prairie View Road and Split Pea Road - the City's Thoroughfare Plan shows Prairie View Road as a Minor Arterial and Split Pea Road as a Community Collector;

Whereas, with the realignment and improvements to North Pea Ridge Road, Split Pea Road may be considered for downgrading to a local street or Neighborhood Collector - the classification, along with the condition of Split Pea Road and adequacy to serve this development, will be more fully evaluated with the subdivision plat;

Whereas, there is an existing Thoroughfare Connector Trail along Prairie View Road per the Trails Master Plan - the applicant is responsible for replacing/repairing this sidewalk as needed due to development activities;

Whereas, the City has water mains along Prairie View Road, Split Pea Road, and Augustus Drive available to serve this site - sanitary sewer service will require a wastewater extension along Hog Pen Creek to the west;

Whereas, the applicant is aware of this and will address this issue with the subdivision plat - drainage issues currently exist on property west of this site; stormwater runoff is a concern and will need to be addressed with the subdivision plat as well;

Whereas, at its December 3, 2024 meeting, the PZC voted 6 to 0 to recommend approval; and

Whereas, Staff recommends approval of the requested rezoning from Agriculture (AG) and AG with a Conditional Use Permit (AG-CUP) for two recreational vehicle spaces to PD-MF-1 and PD-NS with a development/site plan on approximately 19.89 acres located in the Baldwin Robertson Survey, Abstract No. 17, City of Temple, Bell County, Texas, and addressed as 8570 Prairie View Road, 1814 Split Pea Road, and 1900 North Pea Ridge Road, subject to the following conditions:

General Conditions:

1. The approximately 19.89-acre property shall be developed in substantial compliance to the Development/Site Plan, attached hereto and incorporated herein as Exhibit A;
2. A plat consistent with the Development/Site Plan shall be submitted for review by the City prior to development, with lot sizes and configurations conforming to the Unified Development Code (UDC) requirements for uses allowed under this Ordinance;
3. Buffering/screening sufficient to protect privacy of the neighbors required along the MF-1 perimeter adjacent to existing residential uses to the south and west, and along the north and west perimeter of the NS section, to be evaluated with the Site Plan;
4. A minimum five-foot-wide sidewalk required along Split Pea Road; and
5. Detailed Site Plan review by the DRC prior to building permit; review by the PZC and City Council is not required unless an amendment to the approved Ordinance is required.

Multi-Family 1 Section:

1. Use and development of property shall comply with MF-1 zoning district standards, except density shall not exceed 12 dwelling units per acre, regardless of type of residential use;
2. Variation of building elevations and colors required to prevent monotony of design;
3. Provide parking ratio of a minimum of 2.5 spaces per dwelling unit; overflow/guest parking areas need to be located a reasonable distance from the dwelling units being served;
4. For residential uses other than multi-family, driveways/parking in the front yard limited to 52 percent of the lot frontage; townhomes and single-family attached uses (one dwelling unit per lot) require rear parking/access, unless lot widths are 25 feet or more;
5. Front yard setback may be reduced to 10 feet if parking/access is at the rear of the lot;
6. Street connection to hammerhead road (Augustus Drive) in North Ridge Townhome development to the north is required;

7. Landscape materials along the perimeter street frontage shall be provided, including trees with a minimum two-inch diameter at breast height at the time of planting, at 50-foot spacing;
8. For residential uses other than multi-family, a minimum of one tree per dwelling unit shall be provided in the front yard with a minimum two-inch diameter at breast height at time of planting;
9. Compliance with residential subdivision entrance/access design standards with one of the entrances required from Prairie View Road;
10. No residential driveways allowed on Split Pea Road or Prairie View Road; and
11. Height limited to two stories along the perimeter on the north, south, and west sides, regardless of the residential use or housing type.

Neighborhood Service Section:

1. NS section shall be minimum of three acres and maximum of five acres, as shown on the Development/Site Plan;
2. Use and development of the property shall comply with NS District standards; and
3. Landscaping shall be provided as required in UDC Section 7.4.

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 City Council approves a rezoning from Agriculture (AG) and AG with a Conditional Use Permit (AG-CUP) for two recreational vehicle spaces to Planned Development Multi-Family One (PD-MF-1) and Neighborhood Service (PD-NS) with a site/development plan on approximately 19.89 acres located in the Baldwin Robertson Survey, Abstract No. 17, City of Temple, Bell County, Texas, and addressed as 8570 Prairie View Road, 1814 Split Pea Road, and 1900 North Pea Ridge Road, subject to the following conditions:

General Conditions:

1. The approximately 19.89-acre property shall be developed in substantial compliance to the Development/Site Plan, attached hereto and incorporated herein as Exhibit A;
2. A plat consistent with the Development/Site Plan shall be submitted for review by the City prior to development, with lot sizes and configurations conforming to the Unified Development Code (UDC) requirements for uses allowed under this Ordinance;
3. Buffering/screening sufficient to protect privacy of the neighbors required along the Multi-Family 1 (MF-1) perimeter adjacent to existing residential uses to the south and west, and along the north and west perimeter of the Neighborhood Service (NS) section, to be evaluated with the Site Plan;

4. A minimum five-foot-wide sidewalk required along Split Pea Road; and
5. Detailed Site Plan review by the Development Review Committee prior to building permit; review by the Planning and Zoning Commission and City Council is not required unless an amendment to the approved Ordinance is required.

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4. For residential uses other than multi-family, driveways/parking in the front yard limited to 52 percent of the lot frontage; townhomes and single-family attached uses (one dwelling unit per lot) require rear parking/access, unless lot widths are 25 feet or more;
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9. Compliance with residential subdivision entrance/access design standards with one of the entrances required from Prairie View Road;
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11. Height limited to two stories along the perimeter on the north, south, and west sides, regardless of the residential use or housing type.

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2. Use and development of the property shall comply with NS District standards; and
3. Landscaping shall be provided as required in UDC Section 7.4.

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 section, paragraph, sentence, clause, or phrase 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 sections, paragraphs, sentences, clauses, or phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such section, paragraph, sentence, clause, or phrase.

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 **16th day of January, 2025.**

PASSED AND APPROVED on Second and Final Reading on the **6th day of February, 2025.**

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

APPROVED AS TO FORM:

ATTEST:

Liz Caraway
Deputy City Secretary

Kathryn H. Davis
City Attorney