



## COUNCIL AGENDA ITEM MEMORANDUM

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

Brian Chandler, Director of Planning and Development  
Kristina Strickland, Senior Neighborhood Planner

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING – FY-24-33-ZC: Consider adopting an ordinance approving an amendment to Ordinance No. 2022-0059-O to remove warehouse office from the list of prohibited uses within the General Retail segment with a Conditional Use Permit (CUP) to allow warehouse office within the General Retail segment, on 75.2480 +/- acres, located in the City of Temple, Bell County, Texas, addressed as 7040 Brookside Blvd.

**BACKGROUND:** The original Planned Development Ordinance No. 2022-0059-O was approved by the City Council on October 20, 2022.

This amended planned development is a mixed-use development located along Airport Rd frontage with two access points off Brookside Blvd connecting to Lightner Lane. The development is comprised of single-family uses, a General Retail (GR) parcel, and a Multi-Family (MF-2) parcel. The single-family segment of the development is currently in the design phase and will soon begin construction. The remaining segments are platted, and no construction has begun.

The owners of the GR and MF-2 parcels recently contacted city staff to discuss the development timeline and potential changes to the overall multi-family density and general retail uses. Following the discussions, the owner decided to proceed with the proposed changes to the general retail portion. No changes have been requested to MF-2 parcel.

The addition of warehouse office was discussed as a desired use by the owner. Through various discussions with staff, the owners and their team have presented a mixed-use development that includes retail fronting Lightner Lane and a portion of Airport Rd, with warehouse office space located behind the retail.

Per UDC Section 5.3.35, a warehouse office development must be located along a Community Collector Road or higher. Airport Road is a Major Arterial, Lightner Lane is a Neighborhood Collector,

and Brookside Boulevard will be constructed to a Neighborhood Collector standard, which provides sufficient ingress and egress for vehicles.

During the review of this development, it was identified that Brookside Boulevard needs to be added to the Thoroughfare Plan as a Neighborhood Collector. To address compatibility with adjacent residential areas, they have incorporated a landscaped buffer in addition to the existing natural creek barrier.

**Planned Development:** UDC Section 3.4.1 defines a Planned Development as:

“A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.”

As a Planned Development, per UDC Sec.3.4.3A, a Site/Development Plan is subject to review and approval by City Council and conditions of approval can be included into the rezoning Ordinance with a binding Site/Development Plan.

**Conditional Use Permit:** Section 3.5 of UDC provides the following evaluation criteria for Conditional Use Permits:

A. The conditional use is compatible with and not injurious to the use and enjoyment of the property, and does not significantly diminish or impair property values within the immediate vicinity.

B. The establishment of the conditional use does not impede the normal and orderly development and improvement of surrounding vacant property.

C. Adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided.

D. The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.

E. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration.

F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties.

G. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.

Additionally, the code allows the City Council to deny or revoke a Conditional Use Permit if they affirmatively determine that the issuance of the permit is:

a. Incompatible with the surrounding uses of property; or

b. Detrimental or offensive to the neighborhood or contrary to the health, safety and general welfare of the City and its inhabitants, and

c. Per UDC Section 3.5.5, the Planning & Zoning Commission may recommend, and the City Council may impose additional conditions of approval.

**Development Regulations:** The proposed PD amendment includes specific development standards and uses for this property. The proposed PD amendment 1) removes *warehouse office* from the list of prohibited uses; 2) clarifies language regarding timing of the construction of *Lightner Lane*; and 3) requires a shared access easement along the northern boundary for a potential future connection to

Airport Road, if a connection, requested by the developer, is approved by *TxDOT*. The applicant and developer have been in frequent communication with staff and provided various site plans and renderings that match the intended look and character of the developing area. The site plan is binding and while building materials are not legally binding, the developer has agreed to match the architectural designs provided as closely as possible during construction.

**Subdivision Plat:** A subdivision plat that includes this property, Pepper Creek Crossing (FY-23-50-PLT), was approved by the PZC on September 18, 2023, and recorded October 2023. This proposed development is located on Lot 1 and the changes to the Planned Development are applicable to this lot and the adjoining road; Lightner Lane.

**Neighborhood Planning District (NPD):** This site does not lie within an NPD.

**Development Review Committee (DRC):** As required by UDC Section 3.4.2.B, the DRC discussed this PD amendment on February 25, 2025. DRC recommendations have been incorporated into the PD conditions.

**Public Notice:** Notice of the public hearing was sent to owners of 21 properties located within 200 feet of the subject property as required by State law and City Ordinance. As of 12:00 p.m. on Wednesday, April 9, 2025, four responses in disagreement have been received from property owners inside the notification boundary. Staff will provide an update during the PZC meeting as needed.

The newspaper printed notice of the public hearing on April 10, 2025, in accordance with state law and local ordinance.

**School District:** Temple Independent School District (TISD)

**ALIGNMENT WITH ADOPTED PLANS:**

Plan	Comments
Strategic Plan	A City that supports well-managed growth and development to promote a thriving economy.
Comprehensive Plan	<p>Compliance to goals, objectives or maps of various plans are summarized below:</p> <p><u>Future Development Plan (CP Map 4.2)</u> Chapter 4 of the 2020 Comprehensive Plan identifies this area as Employment Mixed-Use future development category, which supports General Retail as an appropriate zoning district. The PD amendment removes warehouse office as a prohibited use. The proposed amendment is consistent with the 2020 Comp Plan.</p> <p><u>Thoroughfare Plan (CP Map 4.3)</u> Brookside Blvd is identified as a local road that functions as neighborhood collector and is being built to those standards. The proposed PD amendment presents no conflict with this plan. Lightner Lane will</p>

Plan	Comments
	be upgraded to a Neighborhood Collector and will include a 6ft sidewalk along the western side as identified through the mobility master plan.
Corporate Campus Master Plan	This request is in line with the Corporate Campus Master Plan by providing a mixture of housing types and non-residential uses.
Mobility Master Plan	<p>Access to SH 36 is subject to approval by TxDOT. During the initial rezoning in 2022, TxDOT had stated that no access to SH36 would be permitted from this property. Any new entrance west of Lightner Lane would have to comply with TxDOT Spacing standards.</p> <ul style="list-style-type: none"> <li>a. A shared access easement on the northern boundary of the subject property may enable future connectivity for commercial traffic to SH 36.</li> <li>b. However, feasibility will ultimately be dependent on the adjacent properties.</li> </ul> <p>Site plan shows driveways and connections from Brookside into commercial areas.</p> <ul style="list-style-type: none"> <li>a. 25 ft visibility triangles are shown at the two entrances from Brookside Blvd.</li> <li>b. A median on Brookside Blvd will direct turning movements at Lightner Ln.</li> <li>c. Internal drive lanes are 26 feet wide, and unloading zones are shown on the site plan, which will minimize obstructions caused by routine deliveries.</li> </ul> <p>The Traffic Impact Analysis provided with the previous case estimated roughly between 2,500 and 5,500 weekday trips in the retail area (ITE 820) at full build-out.</p> <ul style="list-style-type: none"> <li>a. For this amendment, a combination of retail, contractor, office, or warehouse uses could generate a comparable amount of weekday trips, dependent on the specific mix of uses:</li> <li>b. Industrial flex uses (ITE 150, 180, 712) – <b>500-1,500</b></li> <li>c. Various retail uses (ITE 814, 822, 851, 880, 932, 934) – <b>2,000-4,000</b></li> </ul> <p>Crash history was assessed for the general area around Lightner Lane, including Westfield Blvd, Airport Rd, Hilliard Rd, Prairie View Rd:</p> <ul style="list-style-type: none"> <li>a. 100 crashes; 1 fatal, 2 serious injury, 22 minor injury (2019-2024).</li> <li>b. Hot spots noted at the intersections on Airport Rd, 1 fatality at Hilliard Rd.</li> <li>c. 27 crashes at Lightner Lane intersection, 6 minor injuries, 2 possible injuries.</li> <li>d. Common contributing factors were Failed to Control Speed (13), Failed to Yield ROW - Turning Left (5), and Driver Inattention (3).</li> <li>e. This project proposes to realign Lightner Ln to a 90 degree intersection with marked turn lanes and deceleration lanes. The TIA calls for 700 ft of</li> </ul>

Plan	Comments								
	<p>deceleration lanes on eastbound SH 36 to allow vehicles to safely turn into Lightner Ln without obstructing traffic.</p> <p>f. A traffic signal at Lightner Ln may meet warrants once the development is fully built-out in all phases (single-family, multi-family, and retail/office).</p> <p>g. These mitigations are likely to reduce the chance of crashes at Lightner Ln.</p> <p>Current Traffic Volumes</p> <table> <tr> <td>a. Lightner Lane in 2020:</td><td>678</td></tr> <tr> <td>b. Airport Rd (SH 36) in 2020 near Lightner Lane:</td><td>15,911</td></tr> <tr> <td>c. Airport Rd (SH 36) in 2023 at Hilliard Road:</td><td>24,232</td></tr> <tr> <td>d. Prairie View Rd in 2020:</td><td>2,174</td></tr> </table>	a. Lightner Lane in 2020:	678	b. Airport Rd (SH 36) in 2020 near Lightner Lane:	15,911	c. Airport Rd (SH 36) in 2023 at Hilliard Road:	24,232	d. Prairie View Rd in 2020:	2,174
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**STAFF RECOMMENDATION:** Staff recommends approval of the PD amendment to remove the prohibited use of warehouse office and approval of the Conditional Use Permit to allow warehouse office with the following changes to the original ordinance 2022-0059.

1. All conditions in PD ordinance 2022-0045 shall apply except as follows:
2. General Retail standards
  - a. Substantial compliance with the site development plan
  - b. The following specific uses that would otherwise be permitted in GR zoning shall be prohibited: Recreational Vehicle Park, and duplexes
  - c. Screening and buffering required where non-residential development is adjacent to residential development:
    - i. Screening shall consist of a masonry or precast concrete wall
    - ii. Landscaped buffer areas located in the setbacks; and along drainage corridor to provide additional buffering and screening between residential and non-residential uses.
  - d. Required landscape shall consist of shrubs and medium canopy trees on frontage along Lightner Lane.
3. General Retail segment shall dedicate a shared access easement to the parcel to the north, along the northern boundary of the property to allow a future connection to Airport Rd through this development upon approval from TxDot.
4. Retail buildings are to be built either prior to or with the first phase of warehouse office construction and:
  - a. must have certificates of occupancy for all retail buildings before certificates of occupancy are issued for any of the warehouse office; and
  - b. both retail buildings and warehouse office buildings must provide substantial compliance with the conceptual articulation of the provided renderings.

5. Lightner Lane is required to be upgraded as a Neighborhood Collector in full from Airport Rd to Prairie View Rd; timing of road improvements and completion is to align with GR and/or MF-2 development whichever comes first and must be completed prior to the issuance of any Certificates of Occupancy in the GR or MF-2 portions of the PD are issued:
  - a. Street cross-section shall generally comply with standards described in the Temple Comprehensive Plan, including 55' of right-of-way, and;
  - b. a minimum six-foot-wide sidewalk on the west side of Lightner Lane.
6. All development within the boundaries of this Planned Development must comply with all other UDC code requirements unless exceptions are requested at platting or part of the PD conditions.

**BOARDS & COMMISSIONS RECOMMENDATION:** On April 21st, 2025 the Planning and Zoning Commission met and reviewed this item and recommended approval by a vote of 6 to 0.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Ordinance  
Maps  
Photos  
2022-0059-O  
Site Plan/Renderings  
Letter of Intent  
Traffic Impact Analysis  
Property Owner Responses