

ORDINANCE NO. {{item.sequential_number}}
(FY-24-33-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AMENDING 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 TO ALLOW WAREHOUSE OFFICE WITHIN THE GENERAL RETAIL SEGMENT, ON APPROXIMATELY 75.2480 ACRES, LOCATED IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, ADDRESSED AS 7040 BROOKSIDE BOULEVARD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the original Planned Development (PD) Ordinance No. 2022-0059-O was approved by Council on October 20, 2022 - this amended PD is a mixed-use development located along Airport Road frontage with two access points off Brookside Boulevard connecting to Lightner Lane;

Whereas, the development is comprised of single-family uses, a General Retail (GR) parcel, and a Multi-Family (MF-2) parcel, and 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;

Whereas, 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 GR portion; no changes have been requested for the MF-2 parcel;

Whereas, 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 Road, with warehouse office space located behind the retail;

Whereas, per Section 5.3.35 of the Unified Development Code (UDC), 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;

Whereas, 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, the owners and their team have incorporated a landscaped buffer in addition to the existing natural creek barrier;

Whereas, at its April 21, 2025 meeting, the Planning and Zoning Commission (PZC) voted 6 to 0 to recommend approval; and

Whereas, Staff recommends approval of the PD amendment to remove the prohibited use of warehouse office and approval of the Conditional Use Permit (CUP) to allow warehouse office with the following changes to the original Ordinance No. 2022-0059:

1. All conditions in PD Ordinance No. 2022-0045 shall apply, except as follows:
2. GR 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; and
 - 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. GR 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 Road through this development upon approval from the Texas Department of Transportation;
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 Road to Prairie View Road; 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:
 - a. Street cross-section shall generally comply with standards described in the Temple Comprehensive Plan, including 55 feet 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 PD must comply with all other UDC requirements unless exceptions are requested at platting or part of the PD conditions.

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 amends Ordinance No. 2022-0059-O to remove warehouse office from the list of prohibited uses within the General Retail (GR) segment with a Conditional Use Permit to allow warehouse office within the GR segment, on approximately 75.2480 acres located in the City of Temple, Bell County, Texas, and addressed as 7040 Brookside Boulevard, with the following changes to the original Ordinance No. 2022-0059-O:

1. All conditions in Planned Development (PD) Ordinance No. 2022-0045 shall apply, except as follows:
2. GR 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; and
 - 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. GR 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 Road through this development upon approval from the Texas Department of Transportation;
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 Road to Prairie View Road; timing of road improvements and completion is to align with GR and/or Multi-Family Dwelling 2 (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:
 - a. Street cross-section shall generally comply with standards described in the Temple Comprehensive Plan, including 55 feet 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 PD must comply with all other Unified Development Code requirements unless exceptions are requested at platting or part of the PD conditions.

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 **1st** day of **May, 2025**.

PASSED AND APPROVED on Second and Final Reading on the **15th** day of **May, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney