

RESOLUTION NO. {{item.sequential_number}}
(FY-25-20-PLT)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF LEON RESERVE, PHASE II, AN APPROXIMATELY 40.11-ACRE, 169-LOT, FOUR-BLOCK, ONE-TRACT RESIDENTIAL SUBDIVISION WITH DEVELOPER-REQUESTED EXCEPTION TO UNIFIED DEVELOPMENT CODE, SECTION 8.2.1.D.3 RELATED TO RESIDENTIAL SUBDIVISION ENTRANCE/ACCESS DESIGN STANDARDS, SITUATED IN THE MAXIMO MORENO 11-LEAGUE GRANT, ABSTRACT NO. 14, CITY OF TEMPLE, BELL COUNTY, TEXAS, LOCATED ON THE NORTH SIDE OF EAST FM 93, APPROXIMATELY 0.5 MILE EAST OF THE INTERSECTION WITH SOUTH 5TH STREET, AND IDENTIFIED AS BELL COUNTY TAX APPRAISAL PARCEL IDENTIFICATION NO. 40918; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this is the second and final phase of the Leon Reserve development - this phase proposes 169 residential lots zoned Planned Development Single Family – 2 (PD-SF2) per Ordinance No. 2023-0022, approved in June 2023 - all lots satisfy the area and dimensional standards for the SF2 zoning district and PD Ordinance;

Whereas, the preliminary plat was approved in June 2024 for a total of 386 lots proposed for development in two phases, and Phase I, with 217 lots, was approved March 3, 2025 - Phase II final plat is now proposed and is consistent with the preliminary plat;

Whereas, one tract is proposed in this phase, comprising 7.46 acres, and will be owned and maintained by the City for drainage purposes - a drainage letter for Phase II has been provided and a detailed report will be submitted with the construction plans;

Whereas, Phase II does not have frontage on existing streets but connects to streets that will be constructed with Phase I - since the overall development has frontage on FM 93, a Texas Department of Transportation (TxDOT) highway, a Traffic Impact Analysis (TIA) was prepared and reviewed by TxDOT and considered the impact of both this development and the Bohkers, LLC property directly across on the south side of FM 93, which is proposed for a mixed-use development and an elementary school;

Whereas, Cross Timbers Boulevard in Phase I lines up with the proposed re-alignment of 93 Spur, which will provide access to the Bohkers development;

Whereas, the TIA dated December 2, 2024 was accepted by TxDOT via memo dated January 31, 2025 and supersedes the TIA completed in November 2022 referenced in the PD Ordinance - the updated TIA includes the following conditions:

- Signalization for intersections of FM 93 at 93 Spur/Cross Timbers Boulevard and also Old Highway 95 in the future following partial completion (55 percent buildout) of the two developments;
- Left turn and right turn deceleration lanes on FM 93 at the intersection with 93 Spur/Cross Timbers Boulevard based on the anticipated volumes from the developments and eventual signalization at the intersection;
- Aguayo Way constructed as a right-in/right-out access; and
- Left turn deceleration lanes constructed on FM 93 at Old Highway 95 with signalization.

Whereas, the applicant will provide the turn lanes and access for their development as required by TxDOT - the streets in Phase II will be constructed as local streets and connect to Cross Timbers Boulevard, which will be constructed as a community collector, consistent with the Thoroughfare Plan;

Whereas, the Residential Subdivision Entrance/Access Design Standards, mandated by the Unified Development Code (UDC), Section 8.2.1.D.3, requires three Alternate Design Entrances (ADEs) with a minimum pavement width of 41 feet for over 300 dwelling units, which is required for the full Leon Reserve development of 386 lots;

Whereas, two ADEs were proposed with Phase I and accommodate the 217 lots in that phase - Cross Timbers Boulevard ends at the eastern boundary of the subdivision and is anticipated to be continued as other properties to the east develop and will provide a third ADE at that time;

Whereas, a street extension to the north (Lamkin Drive) is also proposed for another future entrance - however, since Cross Timbers and Lamkin Drive do not currently connect to another street and are not shown on an approved preliminary or final plat for the adjacent properties, these cannot count toward meeting the entrance requirement for this final plat;

Whereas, an exception is needed to allow the two ADEs to satisfy the entrance requirements for the full development of 386 lots - the applicant does not believe an exception is needed and has provided a letter to this effect;

Whereas, Staff has evaluated the applicant's letter and does not concur with their interpretation of the entry standards - Staff believes an exception is needed and does not recommend approval;

Whereas, with regard to public safety, the Fire Department has concerns with the two entrances being in close proximity, less than 500 feet apart along the same roadway, diminishing the effectiveness of each entrance to function as an alternate point of ingress/egress - with the proposed school and residential developments on both sides of FM 93, this area is anticipated to have a high volume of traffic;

Whereas, although the impact of these developments will be mitigated by the recommended TIA improvements, a separate entrance located away from this high-traffic area is needed to provide an alternative pathway into or out of the subdivision - as a result, Staff cannot recommend approval of the exception to the entry standards;

Whereas, an exception to UDC Section 8.2.1.D.4 related to the provision of street projections to adjacent properties was administratively approved with the preliminary plat, eliminating the requirement on the west side due to the presence of the railroad;

Whereas, water and sewer facilities are available to serve this site and fire hydrants will be provided as required by the City Fire Code;

Whereas, no sidewalks are required for the local streets in this phase - the park fee requirement of \$225 per dwelling unit for the full 386 residential lots totals \$86,850;

Whereas, an exception to allow a private park in lieu of fee payment was approved with the preliminary plat based on amenities totaling \$86,850 - since an exception to the subdivision entrance/access requirement is needed, City Council approval of the plat and exception is required;

Whereas, at its May 5, 2025 meeting, the Planning and Zoning Commission unanimously voted to recommend approval of the exception and final plat by a vote of 8 to 0;

Whereas, Staff recommends disapproval of the exception to subdivision entrance/access requirements, and therefore, disapproval of the final plat of Leon Reserve, Phase II as currently presented due to failure to meet the requirements of UDC Section 8.2.1.D.3; 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 approves the Final Plat of Leon Reserve, Phase II, an approximately 40.11-acre, 169-lot, 4-block, 1-tract residential subdivision with developer-requested exception to Unified Development Code (UDC), Section 8.2.1.D.3 related to Residential Subdivision Entrance/Access Design Standards, situated in the Maximo Moreno 11-League Grant, Abstract No. 14, City of Temple, Bell County, Texas, located on the north side of East FM 93, approximately 0.5 mile east of the intersection with South 5th Street, and identified as Bell County Tax Appraisal Parcel Identification No. 40918.

Part 3: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

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 **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