



## COUNCIL AGENDA ITEM MEMORANDUM

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

Brian Chandler, Director of Planning and Development  
Kelly Atkinson, Assistant Director of Planning  
Shelby Smith, Senior Planner

**ITEM DESCRIPTION:** SECOND & FINAL READING – FY-24-30-ZC: Consider adopting an ordinance authorizing a rezoning request from Neighborhood Service (NS) to General Retail (GR) on 2.00 +/- acres located in the Maximo Moreno Survey, Abstract No. 14, in the City of Temple, TX addressed as 2945 Martin Luther King Drive.

**BACKGROUND:** The applicant requests rezoning of 2.00 +/- acres from Neighborhood Service (NS) zoning district to General Retail (GR) to accommodate a proposed convenience store and a washateria/laundromat. Since alcohol beverage sales, off-premise consumption, beer and wine store requires a Conditional Use Permit (CUP) in the current NS district, the rezoning to General Retail is necessary for the applicant's project to move forward and to allow all proposed uses including fuel sales, convenience store with a restaurant/kitchen, and alcohol beverage sales for off-premise consumption, and a washateria/laundromat. All proposed uses are permitted by right in the General Retail (GR) zoning district and do not require a CUP. Rezoning to the GR zoning district was recommended by staff during the May 15, 2024, Pre-Development. The site plan includes landscaping. Staff recommended evergreen planting and cypress hedges for screening. Compliance to landscaping, parking, and setbacks will be confirmed with a building permit. The land is currently undeveloped and not platted.

**SURROUNDING PROPERTIES AND ZONING:** The Future Land Use Development Plan shows the subject property is within an area identified for Residential and Neighborhood Services and is adjacent to future land use areas identified as Temple Medical & Education District (TMED) land uses. Across Martin Luther King Jr. Drive to the west, the undeveloped land is zoned Agricultural (AG) and Planned Development Office 2 (PD O-2). Single-family attached dwellings (duplexes) are located to the south of the property in the South Pointe Phase I subdivision, Single-Family Attached – (SF-3) zoning. To the east and the north, residential uses in a Planned Development Multi-Family-1 (PD MF-1) zoning in the Village at Meadowbend apartment complex.

**Neighborhood Planning District (NPD):** Not within a Neighborhood Planning District.

**Subdivision Plat:** The property has not been platted; a plat is required for building permits.

**Parkland Fees:** No park fees are required since the rezoning is proposed for non-residential development.

**Development Review Committee (DRC):** The DRC reviewed the proposed rezoning request on June 3, 2024. No rezoning issues were identified. Compliance with site plan requirements will be confirmed during the plan review stage for the building and construction permit.

**Development Regulations:** The attached tables compare the current development standards for NS & the proposed GR in UDC Section 4.5.1.

**Public Notice:** Seven (7) notices, were sent to property owners within 200-feet of the subject property that are within the City limits with information for the public hearing as required by State law and City Ordinance. It is important to note that some property owners own several different properties.

As of Thursday June 13, 2024, at 12:00 PM, 1 notice in agreement has been received.

The newspaper printed the notice of the public hearing on June 6, 2024, in accordance with state law and local ordinance.

**ALIGNMENT WITH ADOPTED PLANS:**

Plan	Comments
Strategic Plan	The applicable Strategic Plan goals are: (1) A city that supports well-managed growth and development to promote a thriving economy.
Comprehensive Plan	<p>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:</p> <p><b>Future Development Plan (CP Map 4.2)</b>            Chapter 4 of the 2020 Comprehensive Plan identifies this area as Residential &amp; Neighborhood Services category. The Residential &amp; Neighborhood Services future development category is intended for areas to be developed primarily as new single-family detached residential subdivisions and associated amenities, including parks trails, open space areas, and elementary schools. These areas are intended to have a mix of suburban and auto-oriented development character in which a central driveway and garage are the dominate features for residential lots. The General Retail (GR) zoning district is appropriate to implement the Residential and Neighborhood Services future development category. Appropriate commercial uses include neighborhood-serving retail, personal service, and restaurant (without</p>

Plan	Comments
	<p>drive-throughs) uses provided they meet appropriate design standards and locational decision-making criteria.            Therefore, the proposed GR is consistent with the 2020 Future Development Plan.</p> <p><b>Thoroughfare Plan (CP Map 4.3)</b>            The subject property takes access primarily from Martin Luther King Jr. Drive, which is classified as a minor arterial. A minor arterial requires a minimum 6-foot sidewalk. Matching sidewalks along Case Road will be required to connect existing sidewalks.</p> <p><b>Availability of Public Facilities (CP Goal 1)</b>            Wastewater is available from an 8-inch sewer line along Case Road to the south of the subject property. Water is available from a 12 -inch water line on the west boundary as well as a 12-inch water line to the south. Water and Wastewater facilities are in place and sufficient to serve the use.</p>
Parks Master Plan	The Trails Master Plan requires a Neighborhood Connector Trail, minimum 6-foot sidewalk is required.
Mobility Master Plan	No significant Mobility Plan issues have been identified by this proposed development. Estimated daily trips for a convenience store/gas station are 2,121.

**STAFF RECOMMENDATION:** Staff recommends approval of the rezoning to GR as proposed.

**BOARDS & COMMISSIONS RECOMMENDATION:** On June 17, 2024, the Planning and Zoning Commission met and reviewed this item and recommended approval by a vote of 8 to 0.

**FISCAL IMPACT:** No fiscal impacts have been identified by the approval of this rezoning request.

**ATTACHMENTS:**

- Ordinance
- Photos
- Tables
- Maps
- Returned Notices
- Narrative Letter
- Survey
- Site Plan