

ORDINANCE NO. {{item.sequential_number}}
(FY-24-40-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN AUTOMOBILE STORAGE BUSINESS AT 1030 NORTH 31ST STREET, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant proposes to utilize a new commercial building as a private automobile storage facility - Section 5.1 of the Unified Development Code (UDC) requires an approved Conditional Use Permit (CUP) for this use in the Commercial zoning district;

Whereas, the automobile storage would take place in one of three buildings on the property, but the CUP will cover the entire site to clearly align with the zoning map and provide future flexibility for expansion or disaster recovery - this applicant had previously received CUP approval for a site on Kegley Road, but has decided that this location better suits its needs and has submitted a new request;

Whereas, E3 Storage is a membership-based automobile storage club for high-value vehicles, such as sports cars, race cars, and collectible automobiles - the company has facilities in Alabama, Florida, and Georgia, and this would be the first location in Texas;

Whereas, the business functions generally as a private club, meaning that it will not be open to the public and it will not be a commercial mechanic shop - the automobiles would be stored completely within the warehouse and only light maintenance would be performed, such as oil changes, installing bolt-on modifications, or cleaning prior to track days or car shows;

Whereas, the applicant has provided an internal floor plan as well as photos and renderings showing where vehicles will be stored and may be worked on - access to the storage building is limited to members only;

Whereas, some members who participate in sanctioned racing events may use trailers to transport their race cars to events - outdoor parking areas for trailer storage are shown on the Site Plan, and a loading dock is available on the rear corner of the building;

Whereas, conditions to the CUP Ordinance clarify what levels of maintenance will take place and which major vehicle servicing activities would be prohibited;

Whereas, at its September 3, 2024 meeting, the Planning and Zoning Commission voted 7 to 0 to recommend approval.

Whereas, Staff recommends approval of the requested CUP to allow an automobile storage business at 1030 North 31st Street, Temple, Texas, subject to the following conditions:

1. Requiring compliance with the Site Plan, attached hereto and incorporated herein as Exhibit A;
2. Limiting work on vehicles to hobbyist-level maintenance or repairs, installation of accessories, and normal bolt-on modifications;

3. Prohibiting major vehicle servicing as defined in the Unified Development Code, including, but not limited to, painting, body rebuilding, welding, fabrication, or rebuilding transmissions or engines;
4. Prohibiting any commercial automobile maintenance services from being provided to the public;
5. Minor variations to the Site Plan may be approved by the Director of Planning during review of any building permits; and
6. Significant changes to the Site Plan or use of the property shall require approval by City Council.

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 the requested Conditional Use Permit to allow an automobile storage business at 1030 North 31st Street, Temple, Texas, subject to the following conditions:

1. Requiring compliance with the Site Plan, attached hereto and incorporated herein as Exhibit A;
2. Limiting work on vehicles to hobbyist-level maintenance or repairs, installation of accessories, and normal bolt-on modifications;
3. Prohibiting major vehicle servicing as defined in the Unified Development Code, including, but not limited to, painting, body rebuilding, welding, fabrication, or rebuilding transmissions or engines;
4. Prohibiting any commercial automobile maintenance services from being provided to the public;
5. Minor variations to the Site Plan may be approved by the Director of Planning during review of any building permits; and
6. Significant changes to the Site Plan or use of the property shall require approval by City Council.

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, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation of 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 **19th** day of **September, 2024**.

PASSED AND APPROVED on Second and Final Reading on the **3rd** day of **October, 2024**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney