



## 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  
Cheryl Maxwell, Principal Planner

**ITEM DESCRIPTION:** FIRST READING - PUBLIC HEARING - FY-24-31-ZC: Consider adopting an ordinance authorizing a rezoning from General Retail (GR) and Manufactured Home (MH) Districts to Planned Development - Agricultural (PD-AG) with a site development plan and Conditional Use Permit for a HUD-Code Manufactured Home Land Lease Community (expansion of Bluebonnet Estates Mobile Home Park) on 22.109 +/- acres near the southwest corner of East Young Avenue and East Shell Avenue, located in the Benjamin Stracener Survey, Abstract No. 746, in the City of Temple, Bell County, Texas, addressed as 901 E Young Ave.

**BACKGROUND:** The applicant owns 47.898 acres which includes the existing Bluebonnet Estates, a HUD-Code Manufactured Home Land Lease Community, aka mobile home park (MHP), located on the western side of the property with vacant land on the eastern side. The existing park contains 177 MH sites. An expansion of the MHP on the 22.109 acres to the east is proposed as Phase II, adding 123 new sites, for a total of 300. The majority of this property is zoned General Retail (GR) District and includes the existing MHP. Approximately 6.3 acres at the southeast corner of the property is zoned Manufactured Home (MH) District and is undeveloped.

A MHP is not allowed in the GR District, and the MH District no longer exists in the Unified Development Code (UDC). A MHP is only allowed in the Agricultural District with a Conditional Use Permit (CUP), subject to specific use standards in UDC Section 5.3.2. The City Code of Ordinances also has specific requirements for a MHP in Chapter 23, Manufactured Housing. The existing MHP is considered grandfathered and cannot be expanded unless in compliance with current codes. The applicant is requesting rezoning to allow expansion of the MHP on the eastern 22 acres and is leaving the zoning of the existing park as it currently is, so the nonconforming status of the existing park will not change.

Phase II of the MHP must comply with current codes, some of which are provided as follows:

UDC Section 5.3.2 – Specific Use Standards for HUD Code Manufactured Homes:

- Minimum 50 ft. front yard setback required along perimeter streets.  
***PD condition will allow reduction from 50 ft. to 30 ft.***
- Only double-wide units allowed.  
***PD condition will allow single-wide units; minimum 25% of the units must be double-wide, and only double-wide units may be placed along perimeter streets.***
- Fencing/Screening provided around perimeter.
- Minimum 5% landscaping required along perimeter streets.
- 15-year maximum age limit on units moved onto property.

City Code of Ordinances Chapter 23: - Manufactured Housing

- Maximum density of 10 units/ac allowed. *Site plan proposes density of 5.7 units/ac.*
- Lots must be a minimum of 35 ft. wide. *Site plan proposes a minimum 50 ft. width provided for single-wide and 60 ft. for double-wide.*
- Required minimum 5% of Manufactured Home Land Lease Community set aside for recreational area (2.4 ac for existing and proposed MHP). *Site plan proposes 2.739 acres provided as a recreational area.*
- Requirement for 2 parking spaces per unit plus 1 space per 4 units for guest parking (31 spaces for guest parking). *Site plan shows 83 parking spaces provided.*
- Requirement for a minimum of 2 access points. *Site plan shows 2 alternate design entrances provided in accordance with our subdivision entry design standards which will accommodate up to 300 dwelling units.*

The applicant has provided a site plan that complies with the provisions of both codes discussed above, the only exceptions being a reduction in the front yard setback and the allowance of single-wide units, per PD conditions summarized above.

Three recreational areas are proposed totaling approximately 2.739 acres, exceeding the required minimum 2.4 acres for the full park. These areas include the following on-site amenities: swimming pool, office area, computer access, picnic tables, grilling area, shaded canopy, and open areas.

This property has frontage along Young and Shell Avenues. Young Avenue is a Community Collector Street on the City's Thoroughfare Plan, and Shell is a Minor Arterial. The city has a Capital Improvement Program (CIP) project to widen Young Avenue to two lanes with center turn lane from Lower Troy Road to Loop 363. This project includes realigning the Young/Shell intersection to a "T" intersection. This project was funded for design and ROW in FY24 but has not moved forward at this time.

The Residential Subdivision Entrance/Access Design Standards require a minimum of two alternate design entrances (minimum 41 ft pavement width) for up to 300 dwelling units. The applicant will widen the existing entrance from Young Avenue to alternate design standards and provide another alternate design entrance from Shell Avenue to meet the needs of the existing park and the proposed expansion. The internal streets will be private and constructed with a 26 ft. pavement width. Parking on either side will be prohibited and marked as such with either a no-parking sign or fire lane striping.

With regard to water service, the city has water lines of varying sizes along both Young and Shell Avenues. Private lines in the existing MHP connect to the 12-inch water main at the northwest corner along Young Avenue. A second water service connection will require extension of the 8-inch water main along Shell Avenue. For sanitary sewer service, the city has a 15-inch gravity main near the west side of the property, on the west side of the railroad tracks. A 10-inch private line connects to this gravity main to provide service to the existing park. The applicant will extend private lines to provide sewer service to the Phase II development. The utilities, along with drainage needs, will be more fully evaluated with the subdivision plat.

A generalized listing of permitted and conditional uses for the existing and proposed zoning districts is provided in the attached table, along with a summary of surrounding uses. Also attached are tables with estimated AADT (average annual daily traffic) for this development and traffic counts for nearby roadways.

**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. In determining whether to approve, approve with conditions or deny a Planned Development application, the PZC and City Council must consider specific criteria identified in UDC Section 3.4.5. (attached). A site/development plan has been provided and is part of the rezoning request.

**Conditional Use Permit:** In determining whether to approve, approve with conditions or deny a conditional use permit (CUP) application, the Planning & Zoning Commission and City Council must consider criteria as set forth in UDC Section 3.5.4A-G (attached).

Additionally, a CUP may be denied or revoked in accordance with UDC Section 3.5 if it is determined that the issuance of the permit is incompatible with the surrounding uses of property, or detrimental or offensive to the neighborhood, or contrary to the health, safety and general welfare of the City and its inhabitants. A CUP runs with the property and is not affected by a change in ownership or change in the lessee.

**Development Regulations:** The attached tables compare the current development standards for existing and proposed zoning district standards in UDC Section 4.5.1.

**Subdivision Plat:** A subdivision plat is required prior to any development and will incorporate provisions of this PD. Drainage, utility needs, and transportation related issues will be fully evaluated with the subdivision plat.

**Neighborhood Planning District (NPD):** The subject property does not lie within a NPD.

**DEVELOPMENT REVIEW COMMITTEE (DRC):** As required by UDC Section 3.4.2B, the DRC discussed this project on June 17, 2024. DRC recommendations have been incorporated into the PD conditions.

**PUBLIC NOTICE:** Notice of the public hearing was sent to owners for 12 properties located within 200-feet of the subject property and to the applicable Independent School District (ISD), as required by State law and City Ordinance. As of 5:00 p.m. on Monday, August 5, 2024, one response in opposition has been received. Staff will provide an update during the City Council meeting as needed.

The newspaper printed the notice of the public hearing on July 25, 2024, in accordance with state law and local ordinance.

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

**ALIGNMENT WITH ADOPTED PLANS:**

Plan	Comments
Strategic Plan	This item supports the City of Temple’s Strategic Plan goal of “Neighborhoods Where People Love to Live.”
Comprehensive Plan	<p>Compliance to goals, objectives or maps of the Comprehensive Plan, Mobility Master Plan, and Sidewalk and Trails Master Plan 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 Residential and Neighborhood Services future development category intended primarily for new single-family detached residential subdivisions with associated amenities. Alternative housing options such as a MHP were not addressed in the Future Development Plan (FDP). However, the proposed expansion of the MHP will provide additional opportunities for detached single family use and home ownership in a non-traditional setting and is consistent with the intent of the FDP.</p> <p><u>Thoroughfare Plan (CP Map 4.3)</u> The 2020 Thoroughfare Plan identifies Young Avenue as a Community Collector Street and Shell Avenue as a Minor Arterial. A CIP project is planned to improve Young Avenue and realign the Young/Shell intersection.</p> <p><u>Availability of Public Facilities (CP Goal 4)</u>  <b>Water Service:</b> The city has water lines of varying sizes along both Young and Shell Avenues. A second water service connection will require extension of the 8-inch water main along Shell Avenue.</p> <p><b>Sewer Service:</b> The city has a 15-inch gravity main on the west side of the railroad tracks. A 10-inch private line connects to this gravity main to provide service to the existing park. Private lines will be extended to provide sewer service to the Phase II development.</p>

Plan	Comments
Trails Master Plan & Subd.Ord.	Trails MP: n/a; no trails shown in this vicinity. Subdivision Ord: Minimum 4 – 5 ft. wide sidewalk required along collector street and minimum 6 ft. along arterial street. A PD condition requires sidewalks along both Young and Shell Avenues, to be evaluated with the subdivision plat.
Mobility Master Plan	Pending CIP project for Young/Shell Avenues. Applicant may request to defer sidewalk construction until after roadway project is completed.
Neighborhood Planning District	n/a

**STAFF RECOMMENDATION:** Staff recommends approval of the requested rezoning, CUP, and site/development plan, subject to the conditions below:

1. The use and development of the property shall conform to the Agricultural Zoning District standards.
2. Development of a HUD-Code Manufactured Home Land Lease Community is allowed subject to Compliance with UDC Section 5.3.2 *HUD-Code Manufactured Home Development or Land Lease Community* and City Code of Ordinances Chapter 23 *Manufactured Housing*, except as follow:
  - a) Single wide units shall be allowed. Minimum 25% of units shall be double-wide; all units along Young and Shell Avenues shall be double-wide.
  - b) Reduction in front yard setback along perimeter street frontages from 50 ft. to 30 ft.
3. Development of a HUD-Code Manufactured Home Land Lease Community shall substantially comply with the approved Site Plan (Exhibit A). The Director of Planning & Development may approve minor changes to the site plan. Major changes will require review/approval by Planning & Zoning Commission and City Council.
4. Compliance with UDC Section 3.5.4A-G for a CUP.
5. Perimeter fencing/screening required per UDC 5.3.2.B.
6. Landscaping along street frontages required per UDC Section 7.4.
7. No unit older than 15 years may be moved onto the property.
8. Entrances shall comply with Residential Subdivision Entrance/Access Design Standards.
9. Private streets shall be minimum 26 ft. wide pavement. Parking on either side is prohibited and streets shall be marked as such with either a no-parking sign or fire lane striping.
10. A subdivision plat is required prior to site development.
11. Sidewalks required along Young Ave and Shell Ave and will be evaluated with the subdivision plat.

**BOARDS & COMMISSIONS RECOMMENDATION:** On August 5, 2024, the Planning and Zoning Commission met and reviewed this item and unanimously recommended approval by a vote of 6 to 0.

**FISCAL IMPACT:** Not applicable.

**ATTACHMENTS:**

Ordinance

Site/Development Plan

Tables

Maps

Photos

Property Owner Responses