

ORDINANCE NO. {{item.custom\_tracking\_number}}  
(FY-20-36-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM SINGLE FAMILY 3-PLANNED DEVELOPMENT TO OFFICE 1 ZONING DISTRICT ON APPROXIMATELY 0.2847 ACRES, LOCATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14 IN BELL COUNTY, TEXAS, ADDRESSED AS 306 SOUTH 12TH STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, this rezoning would enable reconstruction of the St. James Masonic Lodge on South 12<sup>th</sup> Street - this is part of the existing lodge property that was recently acquired as part of the Avenue C widening project;

**Whereas**, the Avenue C project was developed as part of the Ferguson Park neighborhood plan, with the goal of improving infrastructure in the community - a portion of the lodge property was acquired for right-of-way, leaving a remainder to the current owners and as a result, the existing lodge is scheduled for demolition;

**Whereas**, the owners plan to rebuild on property they own directly adjacent to the current building - the rezoning is requested because the “Fraternal organization lodge” use is not allowed in the current Single Family 3-Planned Development zoning district - the Office 1 zoning would allow for adequate setback distances and would ensure that the new lodge is compliant with current code;

**Whereas**, a plat is proceeding concurrently with this zoning request and will combine the remainder lot with two additional lots to the south owned by the St. James Masonic Lodge organization - building permits would be approved subsequent to this rezoning and the approved plat;

**Whereas**, an 8-inch sewer line is located in the alley behind the subject property - water is available from a 6-inch line that follows South 12<sup>th</sup> Street;

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, at its September 8, 2020 meeting, voted 7 to 0 to recommend Council approve of the rezoning from Single Family 3-Planned Development to Office 1 zoning district on approximately 0.2847 acres, located in the Maximo Moreno Survey, Abstract No. 14 in Bell County, Texas, addressed as 306 South 12th Street;

**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 authorizes a rezoning from Single Family 3-Planned Development to Office 1 zoning district on approximately 0.2847 acres, located in the Maximo Moreno Survey, Abstract No. 14 in Bell County, Texas, addressed as 306 South 12th Street.

**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 phrase, clause, sentence, paragraph or section 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 phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

**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.

PASSED AND APPROVED on First Reading and Public Hearing on the **1<sup>st</sup>** day of **October, 2020.**

PASSED AND APPROVED on Second and Final Reading on the **15<sup>th</sup>** day of **October, 2020.**

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jana Lewellen  
City Secretary

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Kathryn H. Davis  
City Attorney