

ORDINANCE NO. {{item.custom_tracking_number}}
(FY-20-31-ZC)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM OFFICE 2 TO PLANNED DEVELOPMENT GENERAL RETAIL WITH A DEVELOPMENT/ SITE PLAN FOR A SELF-STORAGE FACILITY ON APPROXIMATELY 6.326 ACRES, LEGALLY DESCRIBED AS LOTS 1 & 2, BLOCK 1 GUILLEN ESTATES AND ALL OF CALLED 4.326-ACRE TRACT OF LAND, ADDRESSED AS 1249 & 1147 MARLANDWOOD ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, DB Commercial, on behalf of Ly Lee, requests a rezoning from Office 2 to Planned Development-General Retail to allow for a self-storage facility on approximately 6.326 acres that would include a combination of indoor climate controlled and ambient (outdoor) temperature storage units - the development/site plan provides the minimum 5% landscaping to soften the exterior views of the buildings as well as exterior elevation materials using a combination of split face concrete masonry unit and stone veneer;

Whereas, self-storage building layout for the approximately 6.326 acres is proposed with seven buildings providing for a total 118,475 square feet of total storage space - square footages and footprint sizes described as follows:

- Building One – 400-foot x 100-foot (40,325 square feet) & (1,050 square feet) for office space
- Building Two - 400-foot x 100-foot (40,000 square feet);
- Building Three - 510-foot x 15-foot (7,650 square feet);
- Building Four - 250-foot x 30-foot (7,500 square feet);
- Building Five - 280-foot x 20-foot (5,600 square feet);
- Building Six - 370-foot x 20-foot (7,400 square feet); and
- Building Seven - 400-foot X 25-foot (10,000 square feet);

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, at its August 17, 2020 meeting, voted 7 to 0 to recommend Council approve of the rezoning, from Office 2 to Planned Development General Retail with a Development/ Site Plan for a self-storage facility on approximately 6.326 acres, legally described as Lots 1 & 2, Block 1 Guillen Estates and all of called 4.326-acre tract of land, addressed as 1249 & 1147 Marlandwood Road;

Whereas, Staff approval of the proposed Planned Development, attached hereto as shown by Exhibit A, and made a part hereof for all purposes, subject to the following conditions:

1. That the approximately 6.326-acre site may be developed with a self-storage facility as shown and further described by Exhibits A, B & C of the rezoning Ordinance or any permitted use within the General Retail district;

2. Substantial compliance to the Development/Site Plan, Landscape Plan & building elevations (Exhibits A, B & C);
3. A subdivision plat is required prior to any development;
4. That the proposed six parking spaces is adequate based on 2 employees at any one-time allowance per Unified Development Code Section 7.5.4B;
5. That the Director of Planning & Development may be authorized discretion to approve minor modifications to the City Council-approved development/site plan for the approximately 6.326-acre lot, including but not limited to, screening, buffering, landscaping and minor modifications to the overall site layout; and
6. Significant changes to the Development/ Site Plan require review by the Planning & Zoning Commission and City Council;

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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 of the rezoning from Office 2 (O-2) to Planned Development General Retail (PD-GR) with a Development/ Site Plan for a self-storage facility on approximately 6.326 acres, legally described as Lots 1 & 2, Block 1 Guillen Estates and all of called 4.326-acre tract of land, addressed as 1249 & 1147 Marlandwood Road, and made a part hereof for all purposes, subject to the following conditions:

1. That the approximately 6.326-acre site may be developed with a self-storage facility as shown and further described by Exhibits A, B & C of the rezoning Ordinance or any permitted use within the General Retail district;
2. Substantial compliance to the Development/Site Plan, Landscape Plan & building elevations (Exhibits A, B & C);
3. A subdivision plat is required prior to any development;
4. That the proposed six parking spaces is adequate based on 2 employees at any one-time allowance per Unified Development Code Section 7.5.4B;
5. That the Director of Planning & Development may be authorized discretion to approve minor modifications to the City Council-approved development/site plan for the approximately 6.326-acre lot, including but not limited to, screening, buffering, landscaping and minor modifications to the overall site layout; and
6. Significant changes to the Development/ Site Plan require review by the Planning & Zoning Commission and 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 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 Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **17th** day of **September, 2020**.

PASSED AND APPROVED on Second and Final Reading on the **1st** day of **October, 2020**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney