



## COUNCIL AGENDA ITEM MEMORANDUM

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

Brian Chandler, Director of Planning and Development  
Cheryl Maxwell, Planner

**ITEM DESCRIPTION:** SECOND & FINAL READING – FY-22-18-ZC: Consider adopting an ordinance authorizing a rezoning from Single-Family-1 (SF-1) to Office-1 on 0.10 +/- acres in the City of Temple, Bell County, Texas addressed as 204 North 7th Street.

**BACKGROUND:** This property, and the majority of properties between Barton and French that are currently zoned SF-1, were previously zoned CA. In 2009, they were rezoned to their current designation of SF-1.

This property is for sale and the applicant wishes to enhance development opportunities for this site by expanding the CA zoning district. CA District properties are exempted from the City's parking ratio requirements, which desired by the applicant due to limited space on-site. Office -1 District allows residential (single and two family) and limited non-residential uses to include institutional and office uses. The CA zoning district is a special purpose district intended to promote the City's downtown as a live, work, and play destination and allows considerably more uses to include single family as well as multi-family; various educational/institutional uses; office; hotel; restaurant without drive-in; alcohol sales for on and off-premise consumption; and most retail uses. The attached table provides a generalized listing of permitted and conditional uses for the SF-1, Office -1, and CA Zoning Districts.

**Development Regulations:** This lot is approximately 50 ft. wide and 110 ft. deep, comprising an estimated 5,500 sq. ft. It is currently considered a legal non-conforming lot since it does not satisfy the dimensional standards of the existing SF-1 Zoning District. However, the lot satisfies all dimensional standards for non-residential use in the Office -1 Zoning District. It also satisfies all dimensional standards for single family and non-residential use in the CA District. These standards are summarized in the attached tables, along with a summary of the zoning and current uses for the adjacent properties.

Specific design standards as outlined in our Unified Development Code (UDC) Section 6.9 are required in the CA District and include elements related to site plan, exterior building design/materials/colors, parking, landscaping, and signage. These specific standards do not apply for the Office -1 District.

**Neighborhood Planning District (NPD):** The subject property is located within the Downtown District—West End Subdistrict. Adaptive re-use is recommended in this area, repurposing an existing

building for a different use. This facilitates a more harmonious transition between the CA District and existing residential uses outside this boundary. The plan also states that new use with high levels of vehicle traffic may not be appropriate for an area transitioning from residential to commercial use, but professional services with more infrequent traffic would reduce the potential for nuisance levels to nearby residential properties. This tends to support rezoning to Office -1 rather than CA which would allow retail uses that generally generate more traffic. This neighborhood plan also identifies 7<sup>th</sup> Street as a future bike boulevard.

**Subdivision Plat:** This property has already been platted as Moore’s First Addition, Block 1, South 50 ft. of Lot 4; a replat is not required.

**PUBLIC NOTICE:** Notice of the public hearing and rezoning request to CA was sent to 12 owners of 15 properties located within 200-feet of the subject property, as required by State law and City Ordinance. As of Monday, April 18, 2022, at 5:00 PM, two property owners representing four properties returned responses in favor; one response has been returned in opposition. Staff will provide an update during the City Council meeting, as needed.

The newspaper printed the notice of the public hearing on April 7, 2022, 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 “A city that supports well-managed growth and development to promote a thriving economy,” and the commitment to “Facilitate high quality, safe, and strategic community growth.”
Comprehensive Plan	<p>Compliance with goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan are discussed below:</p> <p><u>Future Development Plan (CP Map 4.2)</u> Chapter 4 of the 2020 Comprehensive Plan identifies this area as the Downtown Core future development category. This category consists of the city center area and represents the “heart of the city” and is a highly walkable area containing various institutional, retail, and residential uses with oversized sidewalks and on-street parking. The Central Area Zoning District is considered an appropriate district for this future development category and would support the applicant’s request for CA. However, given existing single-family zoning and residential uses that are clearly established to the north, this designation may be pre-mature for this area. The Office -1 District allows residential and non-residential uses to include institutional and office but does not allow the full range of uses allowed in the CA District, such as multi-family and retail. Although rezoning to the Office -1 District may not completely adhere to the</p>

Plan	Comments
	<p>recommended CA zoning, the Office -1 district is considered compatible with the 2020 Future Development Plan recommendation.</p> <p><u>Thoroughfare Plan (CP Map 4.3)</u></p> <p>The 2020 Thoroughfare Plan does not identify any collector or arterial streets in this area. Barton and 7<sup>th</sup> Street are considered local streets and are not intended to handle high volumes of traffic.</p> <p><u>Availability of Public Facilities</u></p> <p>City water and sewer are available to this property. There is a 12-inch water line along 7<sup>th</sup> Street and an 18-inch water line along Barton Ave. An 8-inch sewer line runs along the alley. The existing house on site currently has both water and sewer taps.</p>
Trails Master Plan & Subdivision Ordinance	<p><u>Temple Trails Master Plan Map and Sidewalk Ordinance</u></p> <p>The Trails Master Plan does not identify any trails in this vicinity and the Unified Development Code does not require sidewalks along local streets. There is an existing 4 ft. wide sidewalk on this property along both 7<sup>th</sup> Street and Barton Avenue, with some sections in a deteriorated condition.</p>

**STAFF RECOMMENDATION:** Staff does not recommend approval of the requested rezoning from SF-1 to Central Area Zoning District, but does support rezoning to Office -1 for the following reasons:

1. Office -1 District is compatible with the residential uses and SF-1 zoning north of this property and provides a transition between the CA and SF-1 Zoning Districts. Office -1 uses are generally low traffic generators, minimizing potentially negative impacts of integrating non-residential uses into a residential neighborhood.
2. Although the proposal for CA is in compliance with approved plans for this area to include the 2020 Comprehensive Plan, the Downtown Core future land use designation may be pre-mature, given the existing single family residential uses that are solidly established in the SF-1 Zoning assigned to the majority of properties in this vicinity. The Office -1 District allows some non-residential uses but does not include the full range of uses that would be allowed in the CA District.
3. Public facilities are available to serve the subject property, regardless of the assigned zoning district.

**BOARDS & COMMISSIONS RECOMMENDATION:** On April 18, 2022 the Planning and Zoning Commission met and reviewed this item and recommended disapproval of zoning change from SF-1 District to Central Area, and approval of zoning change to Office -1 by a vote of 3 to 2.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**  
Ordinance

Tables  
Maps  
Photos  
Returned Property Notices