



PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington
Wednesday, June 15, 2022 at 5:30 PM

AGENDA

CALL TO ORDER

MINUTES

- [1. Consider Approval of Minutes - 05/18/2022](#)

PUBLIC HEARING

- [2. Case No.: RZ2022-010 & RP2022-004](#)

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone with simultaneous replatting of property located at 660 Donna Ave, Parcel R32539, being Block 1, Lot 4 of the Millican & Ott Addition to the City of Stephenville, Erath County, Texas, from Single Family Residential District-6,000 (R-1.5) to Integrated Housing District (R-2.5).

- [3. Case No.: PD2022-003](#)

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone of property located at 157 W. Washington, Parcel R29179, being Block 5, Lot C of City Addition to the City of Stephenville, Erath County, Texas, from Downtown (DT) to Planned Development (PD).

- [4. Case No.: PD2022-004](#)

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone of property located at 171 W. Washington, Parcel R29178, being Block 5, Lot B of City Addition to the City of Stephenville, Erath County, Texas, from Downtown (DT) to Planned Development (PD).

- [5. Case No.: RZ2022-011](#)

Applicant Ronald Gale is requesting a rezone of property located at 935 College Farm Road, Parcel R40797, being Block 87, Lots 2 and 2A (PT OF 2)4 of the City Addition to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to One and Two Family Residential (R-2).

- [6. Case No.: RZ2022-013](#)

Applicant Marc Pace, representing Stephenville Rentals LLC, is requesting a rezone of property located at 200 Clark Lane, Parcel R29908, being Block 85, Lot 1 & 2A (PTS OF) of the City Addition to the City of Stephenville, Erath County, Texas, from Multifamily Residential District (R-3) to Integrated Housing District (R-2.5).

- [7. Case No.: PD2022-007](#)

Applicant Taylor Kanute, representing LK Capital Investments, LLC, is requesting a rezone of property located at 415 E. Tarleton, Parcel R29529, being Block 56, Lot 2, of City Addition to the City of Stephenville, Erath County, Texas, from Central Business District (B-3) to Planned Development (PD). The applicant will present a conceptual plan.

- [8. Case No.: RP2022-005](#)

Applicant Kenneth Tuggle, representing Washington Street Baptist Church, is requesting a replat of properties located at 719-755 Washington Street, Parcel R30084 of City Addition, being Block 108, Lots 1, 3 & 4, Parcel R30169 of City Addition, being Block 125, Lot 1 of City Addition and Parcel R30176 of City Addition, being Block 125, Lots 2, 3, 3A, 4 & 6, of the City of Stephenville, Erath County, Texas.

9. Case No.: SV2022-005

Applicant John Drennan is appealing a minor Subdivision Waiver from Section 155.6.11–Sidewalk Requirements, to be constructed at 1303 W. South Loop, Parcel R33800, being Block 35, Lot 39 of the South Side Addition to the City of Stephenville, Erath County, Texas.

10. Case No.: SV2022-006

Applicant John Drennan is requesting a minor Subdivision Waiver from Section 155.6.04–Curb and Gutter Requirements, to be constructed at 1303 W. South Loop, Parcel R33800, being Block 35, Lot 39 of the South Side Addition to the City of Stephenville, Erath County, Texas.

11. Case No.: PD2022-005

Applicant Tom Brooks, representing Covenant Legacy LLC, is requesting a rezone of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from Single Family Residential (R-1) to Planned Development (PD). The rezone is for 7.664 acres of the 29.751 acres.

ADJOURN

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.



PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington
 Wednesday, May 18, 2022, at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, May 18, 2022 at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular Business Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

COMMISSIONERS PRESENT: Lisa LaTouche, Chairperson
 Brian Lesley, Vice Chair
 Justin Allison
 Bruce Delater
 Mary Beach McGuire
 Nick Robinson

COMMISSIONERS ABSENT: Tom Hines

OTHERS ATTENDING: Steve Killen, Director of Development Services
 Tina Cox, Commission Secretary

CALL TO ORDER

Chairperson LaTouche called the meeting to order at 5:30 p.m.

MINUTES

1. **Consider Approval of Minutes – April 20, 2022**
 MOTION by Mary Beach McGuire, second by Nick Robinson to approve the minutes for April 20, 2022.
 MOTION CARRIED by unanimous vote.
2. **Consider Approval of Minutes – May 4, 2022**
 MOTION by Mary Beach McGuire, second by Brian Lesley to approve the minutes for May 4, 2022.
 MOTION CARRIED by unanimous vote with Bruce Delater abstaining.

PUBLIC HEARING

3. **Case No.: PD2022-005 Applicant Tom Brooks, representing Covenant Legacy LLC, is requesting a rezone of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (PD) Planned Development. The rezone is for 7.664 acres of the 29.751 acres. The applicant will present a conceptual plan.**

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the Applicant is now requesting to rezone the property to a Planned Development (PD). Mr. Killen reminded the commission that they were to review and make recommendations to the conceptual plan.

Mr. Killen concluded with the statement that the applicant will return for the rezone to a Planned Development District and the approval of the development plan at a later date.

Mr. Wade Bienski was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward in favor of request.

Mark Kaiser, 111 Blue Jay, speaking against for the following petitioners:

Aaron Grimmer, 103 Blue Jay

Perter Corta, 105 Blue Jay

Holly Hodges, 104 Blue Jay

Pamela Boyles, 106 Blue Jay

Lace Phillips, 108 Blue Jay

Corey Moses, 113 Blue Jay

Katie Moses, 113 Blue Jay

Sandra Hill, 114 Blue Jay

Sandra Fisher, 121 Blue Jay

Charles Bradshaw, 120 Blue Jay

Cameron Chance, 123 Blue Jay

Randy Smith, 116 Blue Jay

Sherry Dickerson, 124 Blue Jay

Josh Emmons, 129 Blue Jay

Josh Basham, 130 Blue Jay

Gayla Garner, 136 Blue Jay

Becky Hodges, 112 Blue Jay

Louis Garcia, 145 Blue Jay

Vince Lewallen, 149 Blue Jay

Beth Lewallen, 149 Blue Jay

Dell Goodwin, 151 Blue Jay

James Stephenson, 135 Blue Jay, came forward to speak against request.

James Bucher, 101 Blue Jay, came forward to speak against request.

Kristy Allen, 117 Blue Jay, came forward to speak against request.

Netta Faye Howard, 109 Blue Jay, came forward to speak against request.

Brenda Guise, 713 Spring Meadow, came forward to speak against request.

David Guise, 713 Spring Meadow, came forward to speak against request.

Russ McDaniel, 143 Blue Jay, sent a letter against request.

Chairperson LaTouche closed the public hearing.

No Action required.

4. Case No.: PD2022-006

Applicant Tom Brooks, representing Covenant Legacy LLP, is requesting a rezone of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (B-2) Retail and Commercial District. The rezone is for 2.119 acres of the 29.751 acres.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the applicant has retracted previous submittals from April, 2022. The applicant is now presenting two submittals relating to the parcel. If the rezoning is approved, the applicant will return for the replat. Applicant is requesting to rezone property to allow approximately 2.2 acres for retail and commercial development at the NW corner of the parcel, with frontage on W. Lingleville road. The current parcel surrounds an existing assisted living and memory care facility with an overhead utility easement that bisects the property southeast of the existing facility. An adjacent parcel with Lingleville Hwy frontage is currently zoned B-1, Neighborhood Business District, with future land use being commercial. Mr. Killen concluded his brief by stating that the Comprehensive Plan for future land use designated the property to be Single Family Residential (R-1).

Mr. Wade Bienski was present to answer any questions.

Chairperson LaTouche opened the public hearing.

Wade Bienski came forward in favor of request.

Mark Kaiser, 111 Blue Jay, speaking against for the following petitioners:

Perter Corta, 105 Blue Jay

Holly Hodges, 104 Blue Jay

Pamela Boyles, 106 Blue Jay

Lace Phillips, 108 Blue Jay

Corey Moses, 113 Blue Jay

Katie Moses, 113 Blue Jay

Sandra Hill, 114 Blue Jay

Sandra Fisher, 121 Blue Jay

Charles Bradshaw, 120 Blue Jay

Cameron Chance, 123 Blue Jay

Randy Smith, 116 Blue Jay

Sherry Dickerson, 124 Blue Jay

Josh Emmons, 129 Blue Jay

Josh Basham, 130 Blue Jay

Gayla Garner, 136 Blue Jay

Becky Hodges, 112 Blue Jay

Louis Garcia, 145 Blue Jay

Vince Lewallen, 149 Blue Jay

Beth Lewallen, 149 Blue Jay

Dell Goodwin, 151 Blue Jay

James Stephenson, 135 Blue Jay, came forward to speak against request.

James Bucher, 101 Blue Jay, came forward to speak against request.

Kristy Allen, 117 Blue Jay, came forward to speak against request.

Netta Faye Howard, 109 Blue Jay, came forward to speak against request.

Brenda Guise, 713 Spring Meadow, came forward to speak against request.

David Guise, 713 Spring Meadow, came forward to speak against request.

MOTION by Brian Lesley, second by Mar Beach McGuire, to deny Case No. RZ2022-006 and forward a negative recommendation to Council. MOTION CARRIED by unanimous vote.

5. Case No.: CP2022-001

Applicant Collin Parsons is requesting a Conditional Use permit for a home occupation to be operated at 1317 Inglewood Drive, Parcel R31164, being Lot 2 & 3 of Block 1 of the Dale Avenue North Addition to the City of Stephenville, Erath County, Texas.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the applicant is requesting a conditional use permit to allow a home occupation for firearm sales. In May, 2021, a similar request was approved for a residential property in Golf Country Estates. In that case, the Bureau of Alcohol, Tobacco, and Firearms (ATF) was considering license revocation for the following requirements set forth by the Bureau:

1. Any transaction involving firearm transfers must occur at the locale listed on the licensee's application and;
2. The licensee must comply with all local ordinance and regulations and therefore,
3. The applicant was deemed to be in violation as City Ordinance prohibits home occupations that result in the generation of significant traffic to the property.

On May 13, 2022, staff contacted the ATF and confirmed that they will not issue a permit from their office unless the local municipality approves the use. If the request is approved, Staff recommends the Conditional Use be granted with the stipulation that the use must comply with all criteria applicable to home occupations and violation thereof will result in revocation. Mr. Killen concluded his brief by stating that staff supports the request.

Applicant Collin parsons was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Lesley, second by Nick Robinson, to approve Case No. CP2022-001 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

6. Case No.: RZ2022-011

Applicant Ryan Studdard, authorized representative of Preshcer Custom Homes, is requesting a rezone of property located at 715 Miller, Parcel R32524, being Block 2, Lot 2 & 3 (S PT of 3) of the Miller Addition to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (R-1) Single Family Residential.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the applicant is rezoning the property in order to build a 1,500 square foot residence. Mr. Killen concluded his brief by stating that the Comprehensive Plan for future land use designates this property to be single family and that staff supports the request.

Applicant Ryan Studdard was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Nick Robinson, to approve Case No. RZ2022-011 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

7. Case No.: PD2022-001

Applicant 2828 Real Estate LLC is requesting a rezone from Single Family Residential District (R-1) to Planned Development (PD) for address 1300 Pecan Hill Drive, Parcel R50244, 1.190 Acres S5465 Glasgow Addition, Lot 1, of the City of Stephenville, Erath County, Texas.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that a conceptual plan for the proposed Planned Development District was presented at the April, 2022 meeting. The applicant is now requesting approval of rezoning and the development plan. The applicant has met all requirements of a Planned Development. Mr. Killen concluded his briefing with stating that staff supports this request.

Applicant Justin Haschke was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward for or against the request.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Brian Lesley, to approve Case No. PD2022-001 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

8. Case No.: PD2022-003

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezoning of property located at 157 W. Washington, Parcel R29179, being Block 5, Lot C of City Addition to the City of Stephenville, Erath County, Texas, from (DT) Downtown to (PD) Planned Development. The applicant will present a conceptual plan.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen reminded the commissioners that they were to review and make recommendations to the conceptual plan. The applicant will return for the rezone to a Planned Development District and the approval of the development plan.

Applicant Scott Allen was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

No Action taken.

9. Case No.: PD2022-004

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone of property located at 171 W. Washington, Parcel R29178, being Block 5, Lot B of City Addition to the City of Stephenville, Erath County, Texas, from (DT) Downtown to (PD) Planned Development. The applicant will present a conceptual plan.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen Mr. Killen reminded the commissioners that they were to review and make recommendations to the conceptual plan. The applicant will return for the rezone to a Planned Development District and the approval of the development plan.

Applicant Scott Allen was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

No Action taken.

The meeting was adjourned at 7:13 p.m.

APPROVED:

Lisa LaTouche, Chair

ATTEST:

Tina Cox, Commission Secretary



STAFF REPORT

SUBJECT: Case No.: RZ2022-010 & RP2022-004

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone with simultaneous replatting of property located at 660 Donna Ave, Parcel R32539, being Block 1, Lot 4 of the Millican & Ott Addition to the City of Stephenville, Erath County, Texas, from Single Family Residential District– 6,000 (R-1.5) to Integrated Housing District (R-2.5).

DEPARTMENT: Development Services

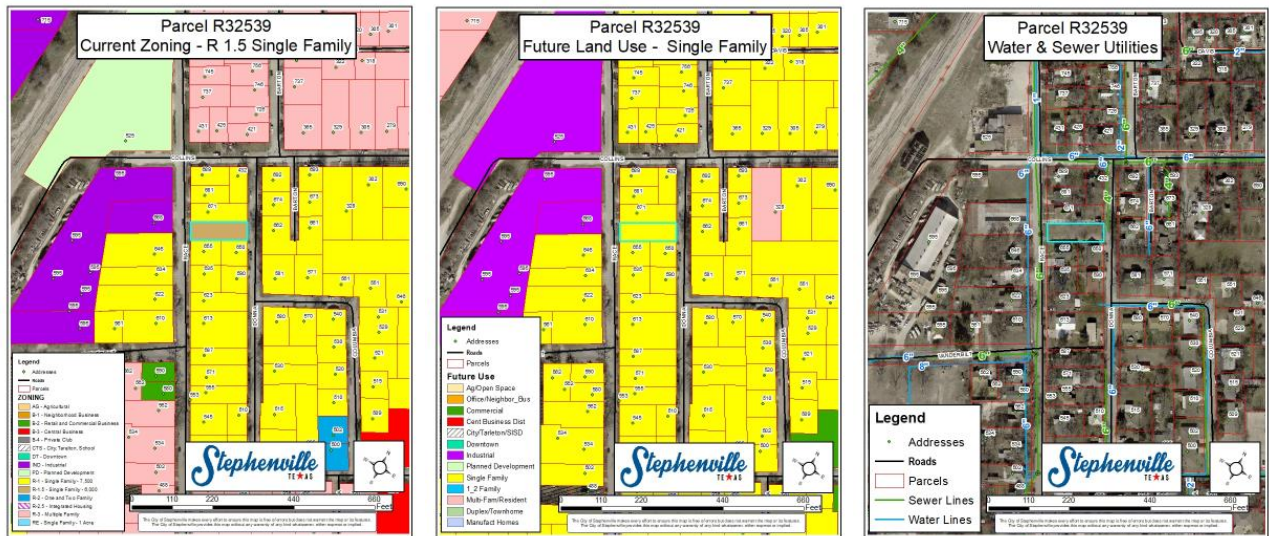
STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

Mr. Allen is requesting a rezone to R-2.5 to construct two duplex style homes on the existing lot. If the rezone is approved, the parcel will be replatted dividing the parcel into two lots, one having frontage on Donna and the other having frontage on Race. Both lots will meet the minimum dimensions of 50’x60’ and will be similar to other properties in the area in regards to lot size. The intended use conforms to the future land use plan.

BACKGROUND:

PROPERTY PROFILE:



Sec. 155.4.03. General subdivision and platting procedures.

- A. *Plats Required for Land Subdivision.* A Preliminary Plat or Minor Plat shall be approved prior to any land division that is subject to these regulations and prior to commencement of any new development.
- B. *Replats and Amending Plats.*

1. *Replat.* A Replat, in accordance with State law, and the provisions of Section 4.08 shall be required any time a platted, recorded lot is further divided or expanded, thereby changing the boundary and dimensions of the property.
2. *Amending Plat.* In the case of minor revisions to recorded Plats or lots, an Amending Plat may also be utilized if in accordance with Section 4.09.

C. *Zoning.*

1. *Conformance with Existing Zoning.* All Applications shall be in conformance with the existing zoning on property inside the City Limits.
2. *Request to Rezone First.* If an Applicant seeks to amend the zoning for the property, the request to rezone the land shall be submitted and approved prior to acceptance of an Application for filing of a plat, unless as otherwise provided below.
 - a. The Applicant may request approval from the City Administrator to submit an application simultaneous with the zoning change request, in which case the Application for the zoning amendment shall be acted upon first, provided that the Application is accompanied by a properly executed Waiver of Right to 30-Day Action (due to the more lengthy time frame necessary to advertise and process zoning Applications).
 - b. In the event that the requested zoning amendment is denied, the Plat Application shall also be rejected or denied.
3. *Zoning Ordinance Site Plan Approval.* Where Site Plan approval is required by the Zoning Ordinance prior to development, no Application for a Final Plat approval shall be accepted for filing until a Site Plan has been approved for the land subject to the proposed Plat.

Sec. 154.05.8 Integrated housing district (R-2.5).

5.8.A Description. This integrated residential housing district provides for medium-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, patio homes, condominiums and townhomes. Generally, this district is for developments resulting in individually platted homes or dwelling units and generally, owner occupied. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the aesthetic and functional well being of the intended district environment. The Integrated Housing District will be applicable to for all Residential Districts, B-1 Neighborhood Business District (B-1), Central Business District (B-3), and Downtown District (DT).

5.8.B Permitted Uses.

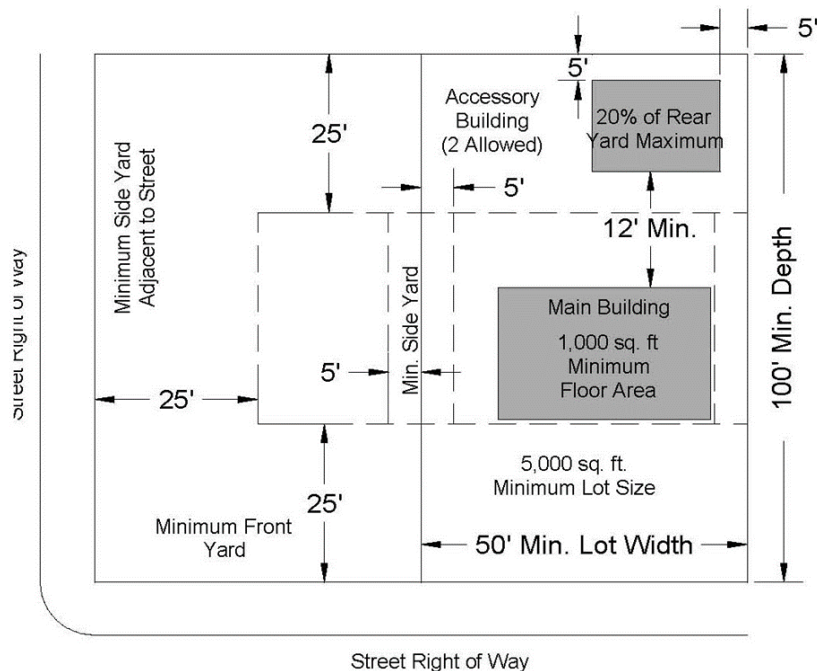
1. Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
2. Two-to-four family dwellings, with each family limited as in division (1) above;
3. Townhouse dwellings, with each family limited as in division (1) above;
4. Condominium dwellings, with each family limited as in division (1) above;

5.8.C Conditional Uses.

1. Home occupation;
2. Common facilities as the principal use of one or more platted lots in a subdivision;
3. Adult and/or children's day care centers;
4. Foster group home; and
5. Residence hall.

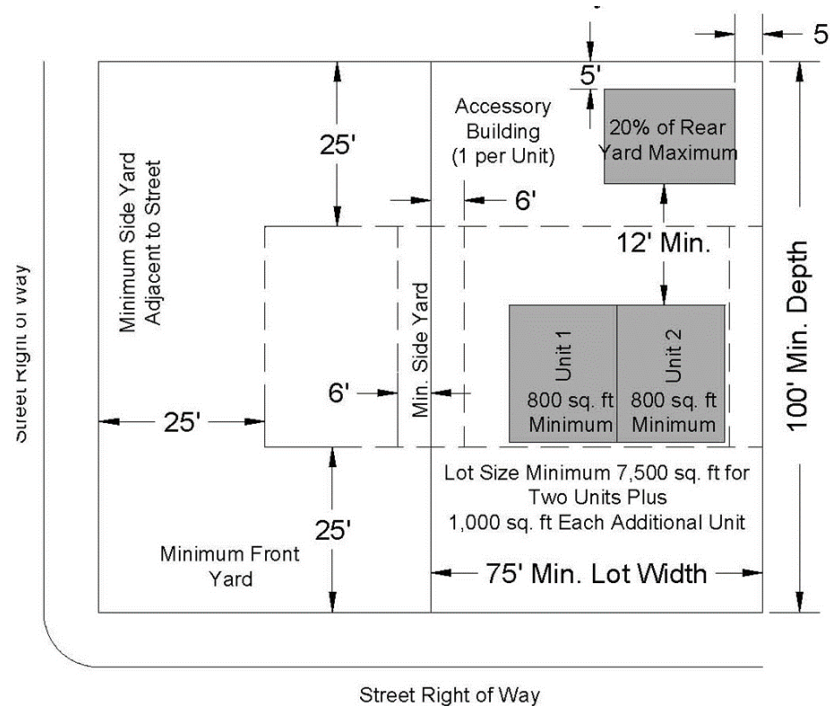
5.8.D Height, Area, Yard and Lot Coverage Requirements.

- A. Single family dwelling.
 - 1. Minimum lot area: 3,000 ft².
 - 2. Minimum lot width and lot frontage: 50 feet.
 - 3. Minimum lot depth: 60 feet.
 - 4. Minimum depth of front setback: 15 feet.
 - 5. Minimum depth of rear setback: 15 feet.
 - 6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
 - 7. Building size:
 - a. Maximum coverage as a percentage of lot area: 40%.
 - b. Single family dwelling: 1,000 ft².
 - 8. Accessory buildings:
 - a. Maximum accessory buildings coverage of rear yard: 20%.
 - b. Maximum number of accessory buildings: one.
 - c. Minimum depth of side setback: five feet.
 - d. Minimum depth of rear setback: five feet.
 - e. Minimum depth from the edge of the main building: 12 feet.
 - 9. Maximum height of structures: 35 feet.
 - 10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



- B. Two-to-four family.

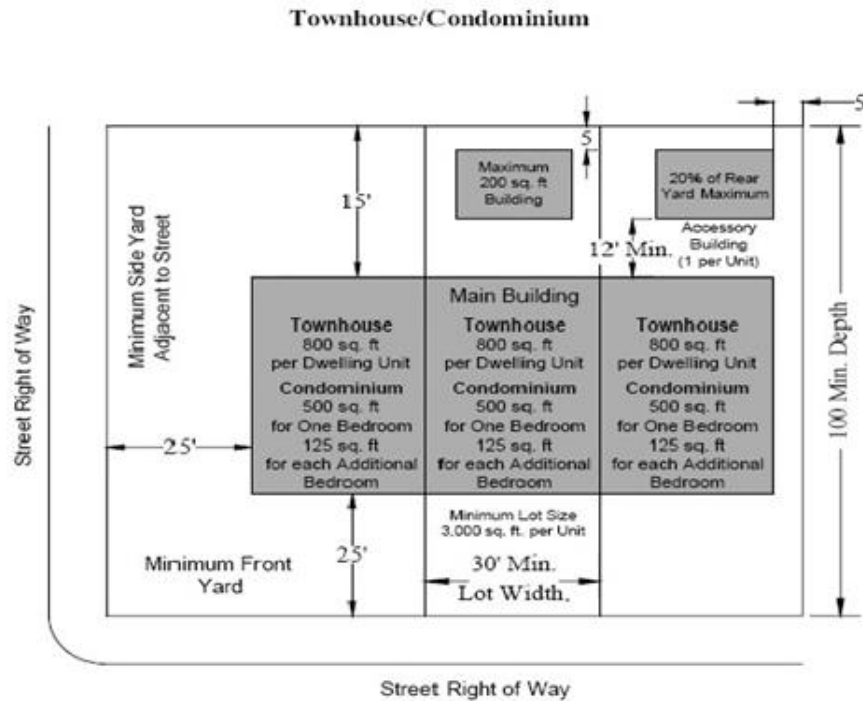
1. Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² for each additional dwelling unit.
2. Minimum lot width and lot frontage: 75 feet.
3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: six feet.
 - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
 - a. Maximum coverage as a percentage of lot area: 40%.
 - b. Minimum area of each dwelling unit: 800 ft².
8. Accessory buildings:
 - a. Maximum accessory building coverage of rear yard: 20%.
 - b. Maximum area of each accessory building: 200 ft².
 - c. Maximum number of accessory buildings: one per unit.
 - d. Minimum depth of side setback: five feet.
 - e. Minimum depth of rear setback: five feet.
 - f. Minimum depth from the edge of the main building: 12 feet.
9. Maximum height of structures: 35 feet.
10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



C. Townhouse/Condominium.

1. Minimum lot area: 3,000 ft² per unit.
2. Minimum average lot width and lot frontage: 30 feet.

3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
 - a. Maximum building coverage as a percentage of lot area: 40%
 - b. Minimum area of each Townhouse dwelling unit: 800 ft².
 - c. Minimum area of each Condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
8. Accessory buildings:
 - a. Maximum accessory building coverage of rear yard: 20%.
 - b. Maximum area of each accessory building: 200 ft².
 - c. Maximum number of accessory buildings: one per unit.
 - d. Minimum depth of side setback: five feet.
 - e. Minimum depth of rear setback: five feet.
 - f. Minimum depth from the edge of the main building: 12 feet.
9. Maximum height of structures: 35 feet.
10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.
11. Maximum density of Townhome or Condominium Housing within the R-2.5 District shall not exceed 14 units per acres with each unit platted separately.
12. Deviations from the required standards within the R-2.5 district will be subject to site plan review by the Planning and Zoning Commission and subsequent approval by City Council. Site plans should include renderings with elevations, a finish schedule and incorporate architectural designs that complement the existing structures of the area of integration.



5.8.E Parking Regulations. Lots in this District shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 154.11 *Parking spaces for vehicles* of this ordinance.

(Ord. No. 2021-O-28 , § 1, passed 9-7-2021)

FACTORS TO CONSIDER:

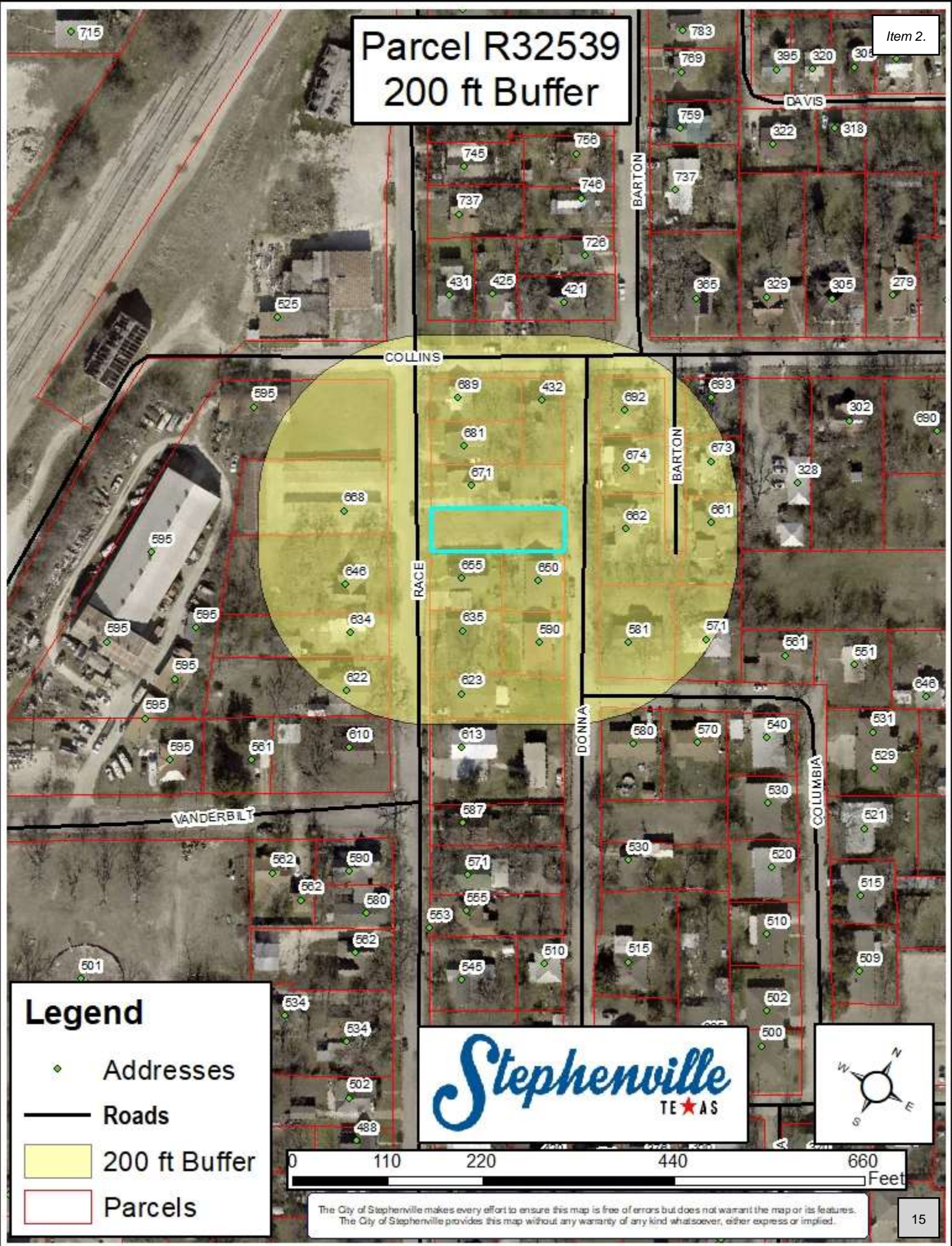
- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

- 1) Accept the Conceptual Plan as presented.
- 2) Make recommendations to the applicant in regards to the development plan.

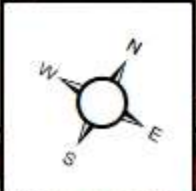
Parcel R32539 200 ft Buffer

Item 2.



Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels

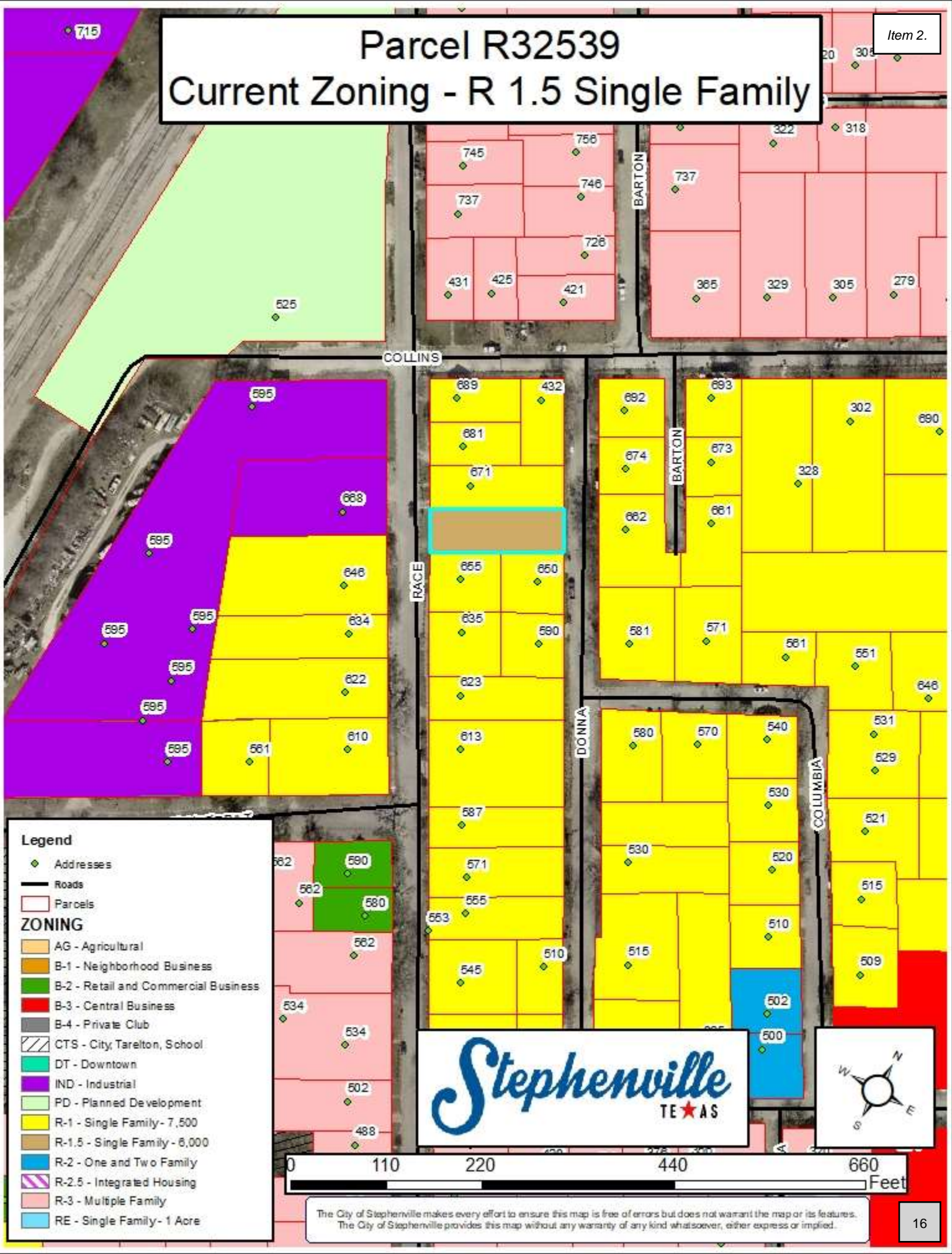


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R32539

Current Zoning - R 1.5 Single Family

Item 2.



Legend

- ◆ Addresses
 - Roads
 - ▭ Parcels
- ### ZONING
- AG - Agricultural
 - B-1 - Neighborhood Business
 - B-2 - Retail and Commercial Business
 - B-3 - Central Business
 - B-4 - Private Club
 - CTS - City, Tareyton, School
 - DT - Downtown
 - IND - Industrial
 - PD - Planned Development
 - R-1 - Single Family - 7,500
 - R-1.5 - Single Family - 6,000
 - R-2 - One and Two Family
 - R-2.5 - Integrated Housing
 - R-3 - Multiple Family
 - RE - Single Family - 1 Acre

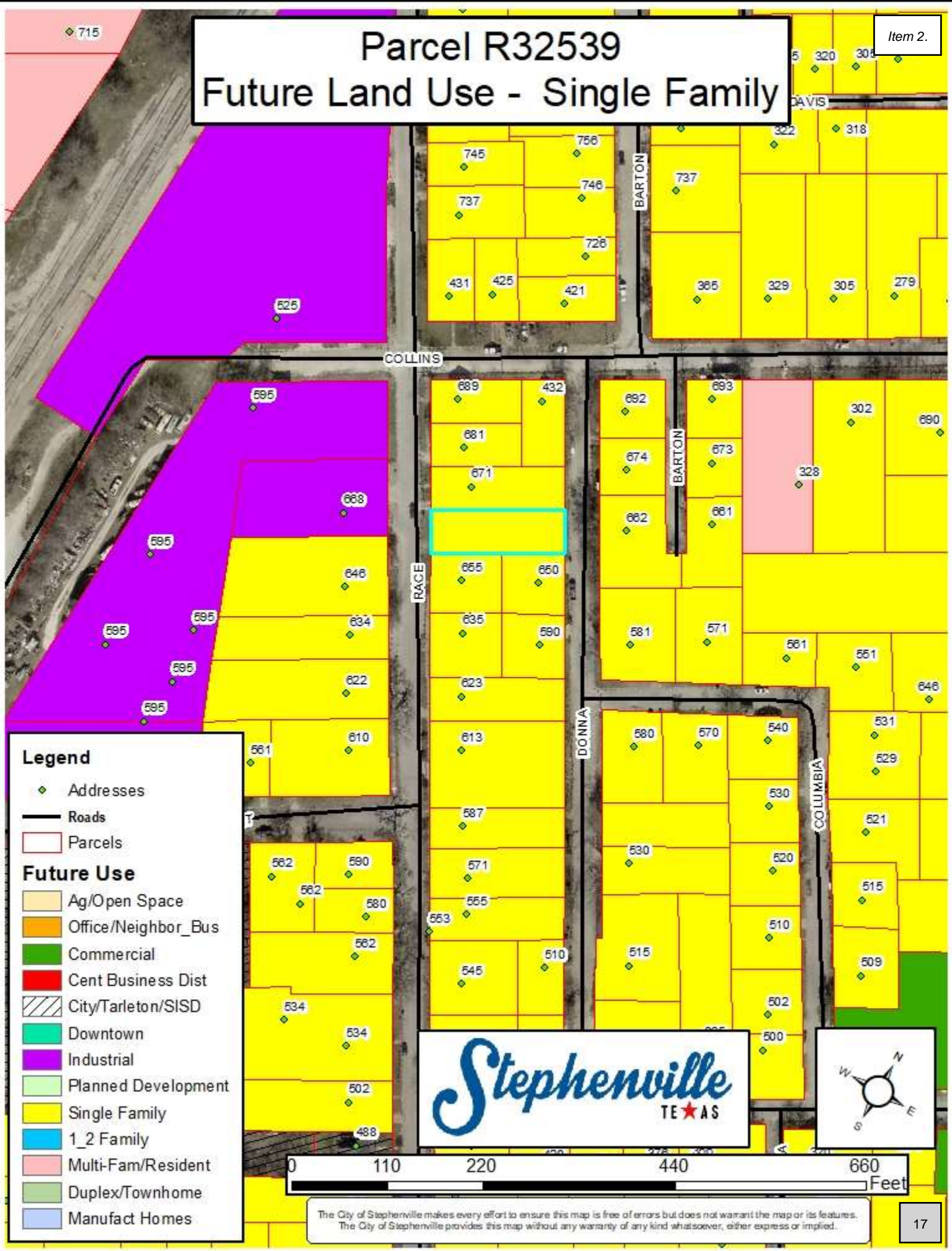


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Parcel R32539

Future Land Use - Single Family

Item 2.



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Parcel R32539 Water & Sewer Utilities

Item 2.



Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines

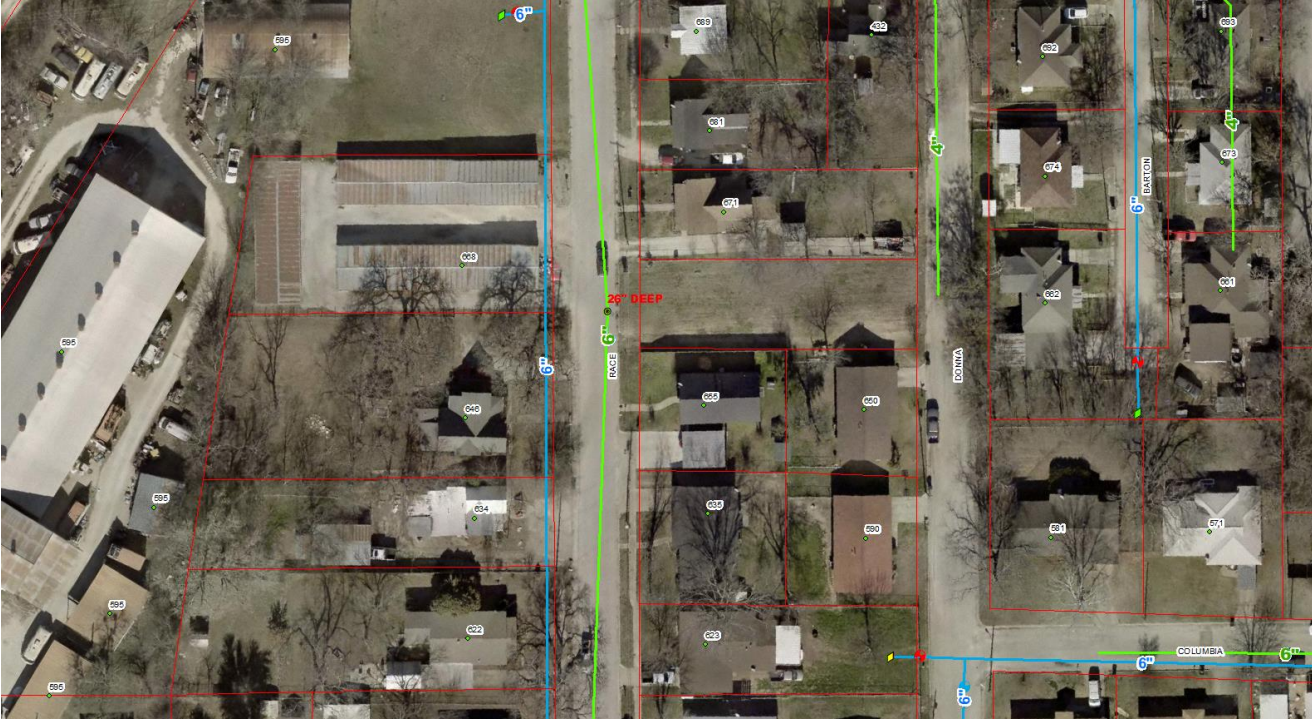


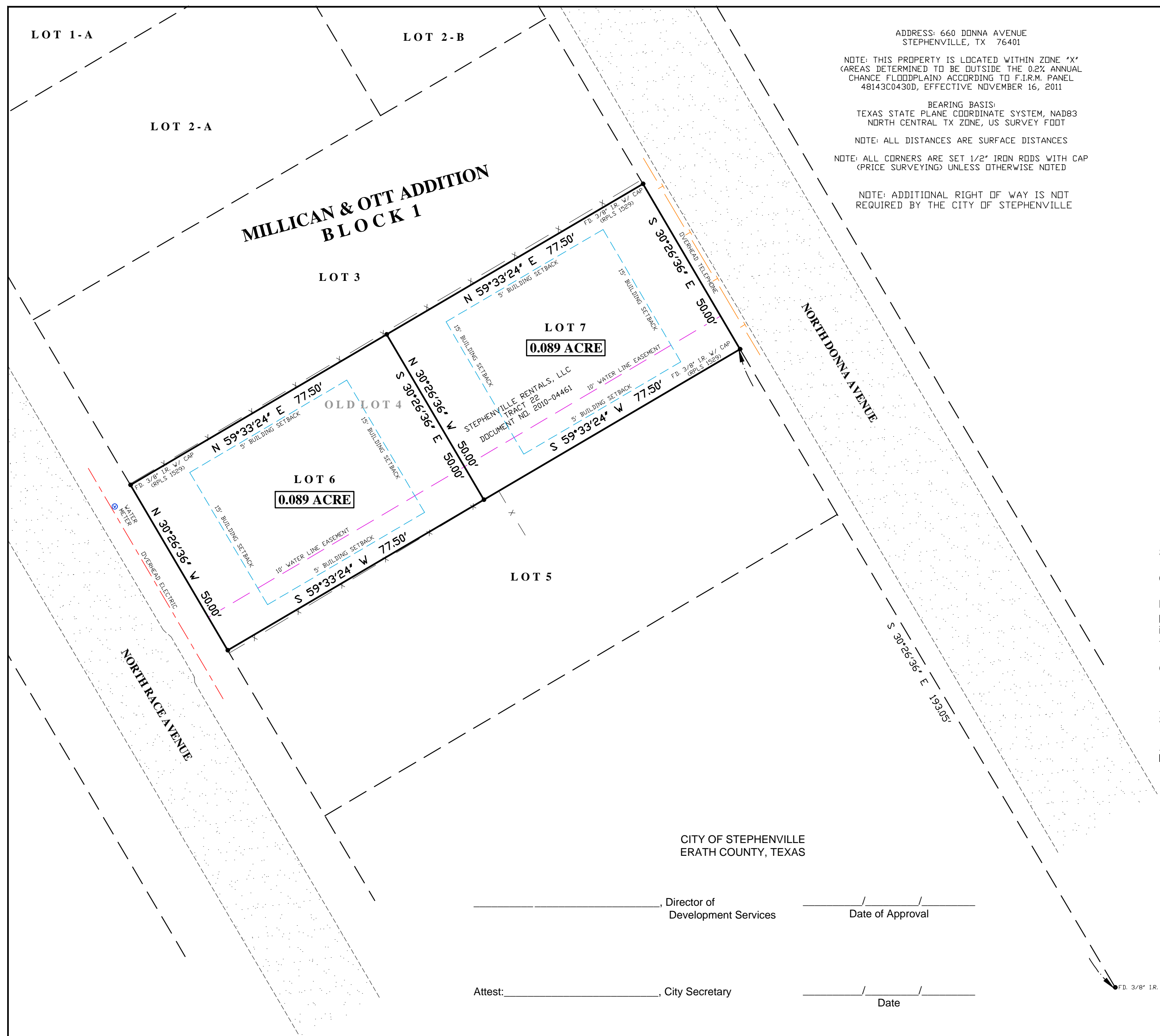
The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R32539 Address List

Item 2.

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|------------------|---------------------------------------|------------------------|--------------|-------|------------|
| R000034651 | 673 BARTON | ALBRECHT DAVID L & ELIZABETH | 184 COPPER RIDGE DR | LA VERNIA | TX | 78121 |
| R000032552 | 662 BARTON | ARNOLD FAMILY REVOCABLE LIVING TRUST | 1744 MAMBRINO HWY | GRANBURY | TX | 76048 |
| R000032544 | 623 RACE | BEDWELL MONTY C | 3377 FM914 | STEPHENVILLE | TX | 76401 |
| R000032554 | 571 COLUMBIA | BICKLEY PROPERTIES-ERATH LLC | 701 BROWNLEE CIRCLE | AUSTIN | TX | 78703 |
| R000033237 | 525 W COLLINS | COWTOWN PROPERTIES LLC | 3745 BELLAIRE DR SOUTH | FORT WORTH | TX | 76109 |
| R000033242 | 634 RACE | FANNING ROBIN | 897 CR456 | STEPHENVILLE | TX | 76401-7153 |
| R000032556 | 580 COLUMBIA | HANSEN SEAN | 580 N COLUMBIA | STEPHENVILLE | TX | 76401 |
| R000033240 | 668 RACE | HARRIS DALE & DEBBY | 102 WILLOW LANE | STEPHENVILLE | TX | 76401 |
| R000033243 | 622 N RACE | HATCH BRENNEN & STEVE D HATCH | 622 N RACE | STEPHENVILLE | TX | 76401 |
| R000032534 | 689 RACE | J & S FAMILY HOLDINGS LLC | PO BOX 1201 | STEPHENVILLE | TX | 76401 |
| R000032553 | 581 COLUMBIA | KALSBECK CORIANN | PO BOX 449 | DUBLIN | TX | 76446 |
| R000032711 | 610 RACE | LACSON GABRIEL | 610 RACE | STEPHENVILLE | TX | 76401 |
| R000033239 | 595 W VANDERBILT | LEE MARCHELLE | 695 PRAIRIE WIND BLVD | STEPHENVILLE | TX | 76401 |
| R000032541 | 655 RACE | MASCORRO DIANA | 1090 RACE | STEPHENVILLE | TX | 76401 |
| R000034649 | 674 N BARTON | NELSON BESSIE | 674 N BARTON | STEPHENVILLE | TX | 76401 |
| R000034650 | 693 N BARTON | NEWSOME SETH & ASHLEY NICOLE CAMBANIS | 693 N BARTON | STEPHENVILLE | TX | 76401 |
| R000033241 | 646 N RACE | ROMILLY JORDAN & LAUREN ROMILLY | 646 N RACE ST | STEPHENVILLE | TX | 76401 |
| R000032542 | 635 N RACE | SCOTT GERALD W | 635 N RACE ST | STEPHENVILLE | TX | 76401 |
| R000034648 | 692 BARTON | SEETON PROPERTIES LLC | PO BOX 1941 | MANSFIELD | TX | 76063 |
| R000032536 | 432 COLLINS | SOUTHERN CHARM MANAGEMENT LLC | 2211 SUMMIT DR | BURLESON | TX | 76028 |
| R000032535 | 681 N RACE | STARRX PROPERTIES LLC | 1755 BIG VALLEY CIR | LIPAN | TX | 76462 |
| R000032543 | 590 DONNA | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000032539 | 660 DONNA AVE | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000032540 | 650 DONNA | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000032538 | 671 N RACE | TEVIS ROBERT AND APRIL TEVIS | 2715 CR 299 | DUBLIN | TX | 76446 |
| R000034652 | 661 BARTON | TORRES JOSE & FLOR E | 661 N BARTON | STEPHENVILLE | TX | 76401 |
| R000032545 | 613 RACE | VAUGHN EDMUND LEE | 613 N RACE ST | STEPHENVILLE | TX | 76401 |





ADDRESS: 660 DONNA AVENUE
STEPHENVILLE, TX 76401

NOTE: THIS PROPERTY IS LOCATED WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO F.I.R.M. PANEL 48143C0430D, EFFECTIVE NOVEMBER 16, 2011

BEARING BASIS:
TEXAS STATE PLANE COORDINATE SYSTEM, NAD83
NORTH CENTRAL TX ZONE, US SURVEY FOOT

NOTE: ALL DISTANCES ARE SURFACE DISTANCES

NOTE: ALL CORNERS ARE SET 1/2" IRON RODS WITH CAP (PRICE SURVEYING) UNLESS OTHERWISE NOTED

NOTE: ADDITIONAL RIGHT OF WAY IS NOT REQUIRED BY THE CITY OF STEPHENVILLE

OWNER'S CERTIFICATE

Now therefore know all men by these presents:

That, Stephenville Rentals, LLC, owner, does hereby adopt this replat designating the herein described property as Lot 6 and Lot 7, Block 1 of Millican & Ott Addition to the City Of Stephenville, Erath County, Texas, The easements shown thereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same. Any, and all public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, of efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and/or for any maintenance and service required or ordinarily performed by that utility. The easements dedicated are for the specific use of installing and maintaining water, sewer, electrical, natural gas, telephone, fiber or cablevision lines, and are not intended to be used for garbage dumpsters, the collection of garbage, or for the use of garbage vehicles in any manner.

This plat approved, subject to all platting ordinances, rules, regulations and resolutions of The City of Stephenville, Erath County, Texas.

Witness my hand, This the _____ day of _____, 2022

Authorized Signature of Owner / Stephenville Rentals, LLC

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person(s) whose name(s) is(are) subscribed to the foregoing instrument, and acknowledged to me that he (she) (they) executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN under my hand and seal of office this ____ day of _____, 20__

Signature _____

My Commission Expires On _____

CITY OF STEPHENVILLE
ERATH COUNTY, TEXAS

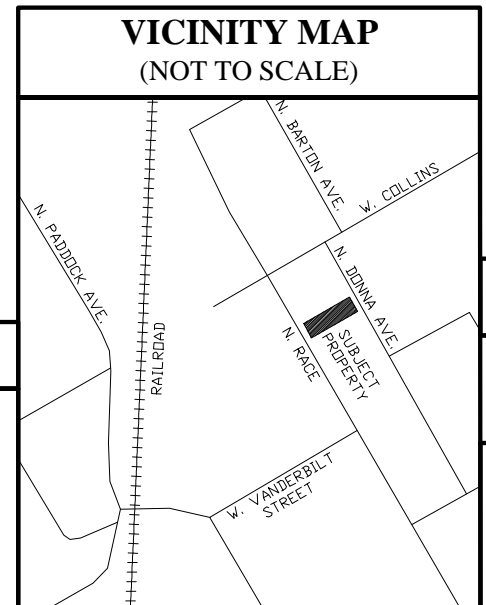
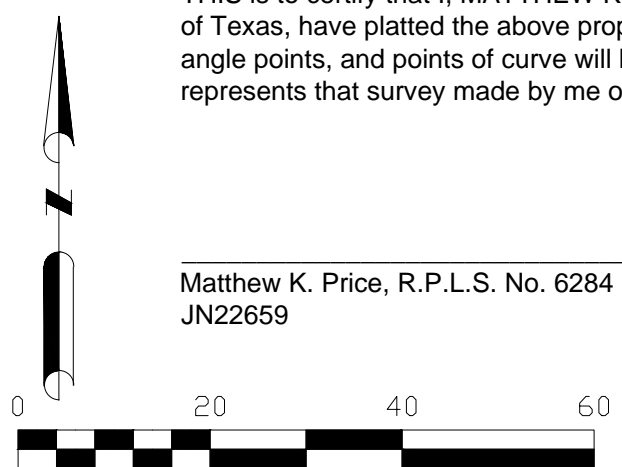
_____, Director of Development Services _____, Date of Approval

Attest: _____, City Secretary _____, Date

SURVEYOR'S CERTIFICATE

THIS is to certify that I, MATTHEW K. PRICE, A Registered Professional Land Surveyor of the State of Texas, have platted the above property from an actual survey on the ground and that all lot corners, angle points, and points of curve will be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direct supervision on MAY 17, 2022.

Matthew K. Price, R.P.L.S. No. 6284
JN22659



| SURVEYOR | OWNER/DEVELOPER |
|---|---|
| Matthew K. Price Price Surveying, LP FIRM# 10194051 1100 E Washington Street Stephenville, TX 76401 254-965-5489 | Stephenville Rentals, LLC 181 South Graham Stephenville, TX 76401 |

REPLAT

**LOT 6 & LOT 7, BLOCK 1
MILICAN & OTT ADDITION**

BEING A REPLAT OF LOT 4 IN BLOCK 1 OF THE MILICAN & OTT ADDITION TO THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS, ACCORDING TO KING'S 1956 MAP OF STEPHENVILLE, ADOPTION AND DEDICATION THEREOF RECORDED IN VOLUME 381, PAGE 105 OF THE DEED RECORDS OF ERATH COUNTY, TEXAS



STAFF REPORT

SUBJECT: Case No.: PD2022-003

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone of property located at 157 W. Washington, Parcel R29179, being Block 5, Lot C of City Addition to the City of Stephenville, Erath County, Texas, from (DT) Downtown to (PD) Planned Development.

DEPARTMENT: Development Services

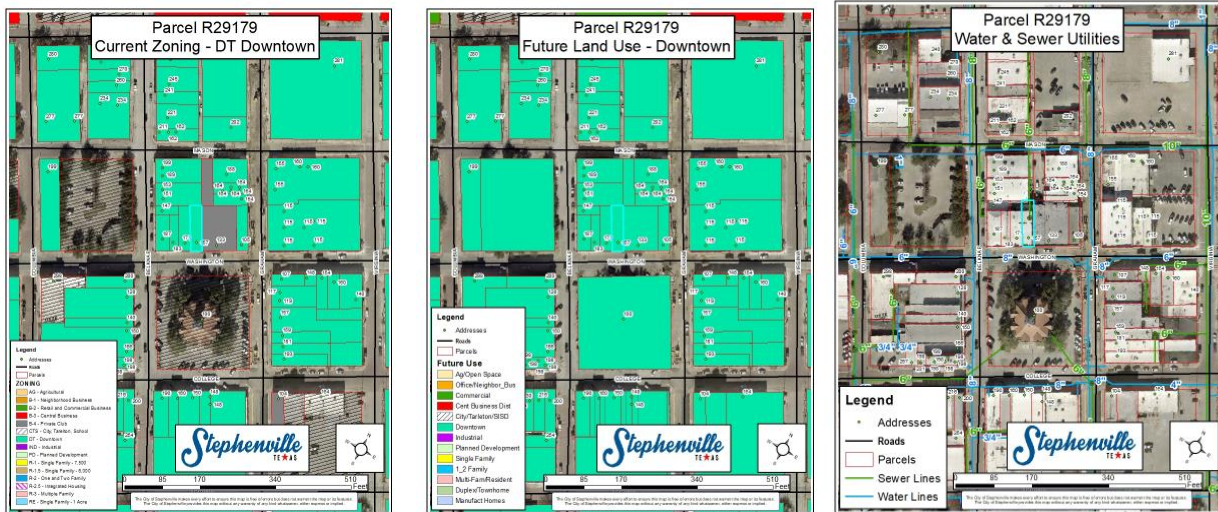
STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

A conceptual plan for the proposed Planned Development District was presented at the May 18, 2022 meeting. The applicant is now requesting approval of the rezone and development plan.

BACKGROUND:

PROPERTY PROFILE:



STAFF NOTES:

1. The PD is requested for the DT zoning district due to a mixed use plan that will allow retail/office space on the first floor and duplex style units on the second floor.
2. The DT zoning district allows for both retail/office and residential uses, but, does not specify mixed use as a permitted use.
3. The request has generated expressed concerns in regards to parking. The DT zoning district requires two parking spaces per unit for residential use. Commercial uses in the DT zoning district are exempt from parking requirements.
4. Dumpster enclosure requirements should be considered in regards to the PD request.
5. Landscape requirements should be considered in regards to the PD request.

Sec. 154.06.7. Downtown district (DT).

6.7.A Description. The Downtown District is intended to encourage the redevelopment of the original township, which includes the historic courthouse, offices, retail business and residences. The varying land uses included in the Downtown District are compatible with existing uses to preserve the integrity of the area Downtown District and deter urban deterioration. This district also facilitates the maintenance of the area and provides for the vibrant interaction between retail, service, residential, government and public use.

6.7.B Permitted Uses.

- (1) Banks or other financial institutions;
- (2) Bed and breakfast/boarding house;
- (3) Bicycle sales and rental;
- (4) Book and card/gift stores;
- (5) Church, temple or mosque;
- (6) Civic or community center;
- (7) Clinic;
- (8) Commercial parking garage/lot;
- (9) Condominium (four or less units);
- (10) Convenience/grocery store (without pumps);
- (11) Day spa;
- (12) Florist;
- (13) Fraternal organization, lodge or civic club;
- (14) Health club, weight and aerobic center;
- (15) Home occupation;
- (16) Hotels and motels;
- (17) Library;
- (18) Micro brewery/winery (retail sales)—without drive-in service;
- (19) Municipal facilities/state facilities/federal facilities;
- (20) Museums and galleries;
- (21) Office—professional and general administration;
- (22) Personal service shop (beauty/barber shop);
- (23) Restaurant or cafeteria—without drive-in service;
- (24) Restaurant with alcoholic beverage service;
- (25) Retail shops;
- (26) Sale of alcohol as licensed by the Texas Alcoholic Beverage Commission;
- (27) Single family dwelling;
- (28) Studio for photographer, musician, artist;
- (29) Tattoo parlor;
- (30) Theater-indoor;
- (31) Townhouse (four or less units);
- (32) Travel agencies; and
- (33) Two-four family dwelling.

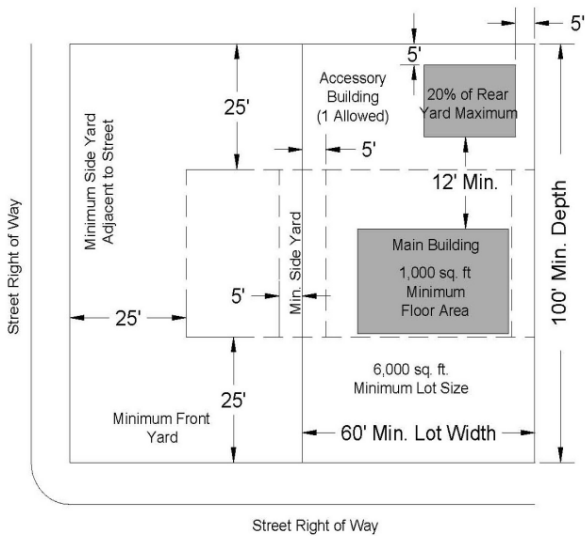
6.7.C Conditional Uses (Special Use Permit required).

- (1) Restaurant (drive-in type);
- (2) Micro brewery/winery (distribution);
- (3) Tobacco shop;
- (4) Reserved.

6.7.D Height, Area, Yard and Lot Coverage Requirements.**(A) *Single family dwelling.***

- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 6,000 ft².
- (3) Minimum lot width and lot frontage: 60 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

6.7.D Height, Area, Yard and Lot Coverage Requirements Single-Family Dwelling



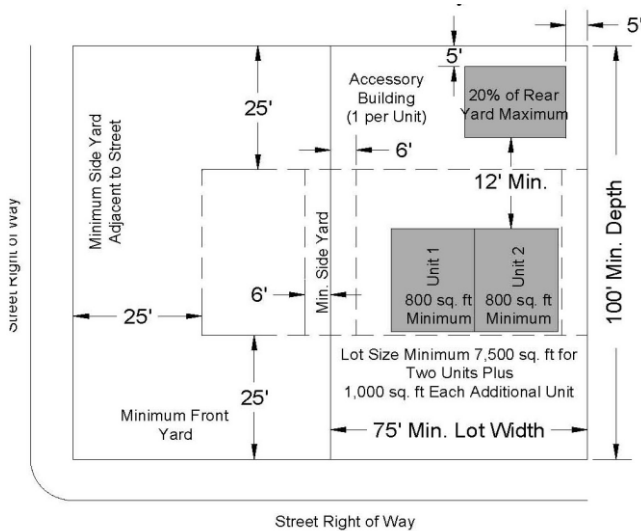
6.7.E Parking Regulations. A Single-Family, DT District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 11 the Parking Regulations.

(B) *Two-four family dwelling.*

- (1) Maximum density: four family unit per lot.
- (2) Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² for each additional dwelling unit.
- (3) Minimum lot width and lot frontage: 75 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: six feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of each dwelling unit: 800 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples, and mosques may not exceed 75 feet, if the building is

set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

6.7.D Height, Area, Yard and Lot Coverage Requirements Two-Four Family Dwellings



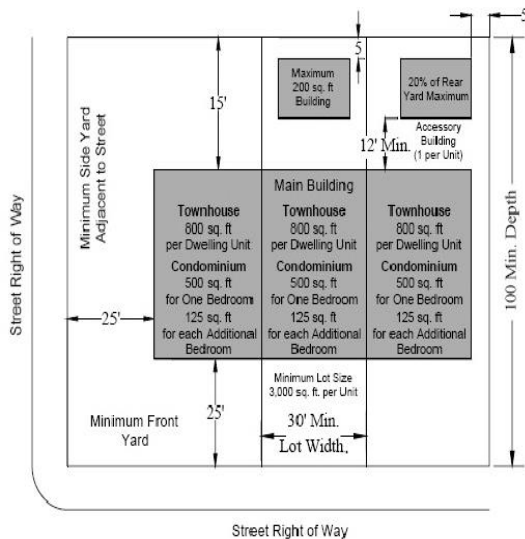
A Two-Four-Family, DT District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations.

(C) *Townhouse/Condominium.*

- (1) Maximum density: four family unit per lot
- (2) Minimum lot area: 3,000 ft² per unit.
- (3) Minimum average lot width and lot frontage: 30 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum width of rear setback: 15 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%
 - (b) Minimum area of each townhouse dwelling unit: 800 ft².
 - (c) Minimum area of each condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) Minimum depth from the edge of the main building: 12 feet.

- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

6.7.D Height, Area, Yard and Lot Coverage Requirements Townhouse/Condominium

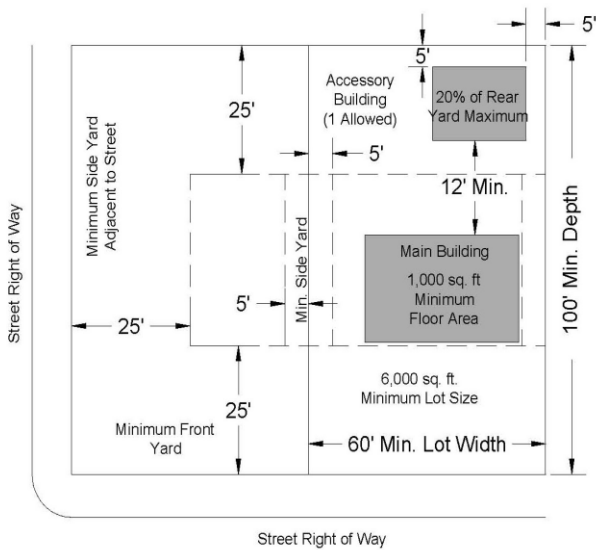


A Townhouse/Condominium, DT District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations.

(D) *All other uses.*

- (1) Maximum density: There is no maximum density requirement.
- (2) Minimum lot area: There is no minimum area requirement.
- (3) Minimum lot width: There is no minimum width requirement.
- (4) Minimum lot depth: There is no minimum depth requirement.
- (5) Minimum depth of front setback: There is no front setback requirement.
- (6) Minimum depth of rear setback: There is no minimum rear setback requirement unless the lot abuts upon a Residential District, then a minimum ten feet is required.
- (7) Minimum width of side setback:
 - (a) Internal lot: There is no minimum side setback requirement unless the lot abuts upon a Residential District, then a minimum five feet is required.
 - (b) Corner lot: There is no setback requirement.
- (8) Building size: there are no minimum size regulations.
- (9) Maximum height of structures: No building shall exceed 75 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Height, Area, Yard and Lot Coverage Requirements

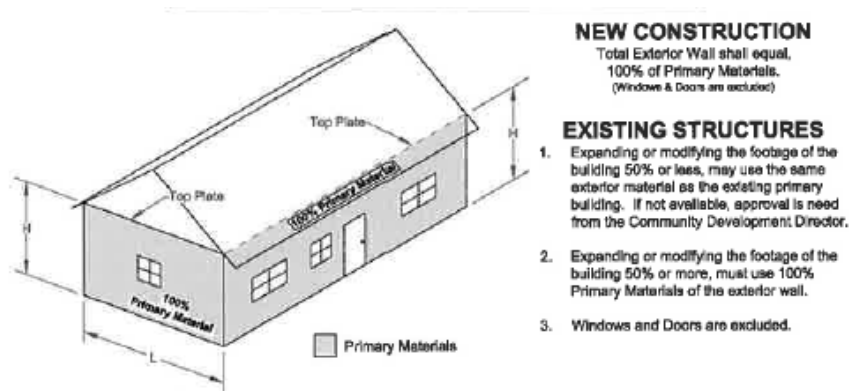


Note: No rear or side yard except when the lot abuts upon a Residential District, then the minimum setback for rear yard is ten feet and side yard is five feet.

6.7.F Type of Construction.

- (1) The exterior facade of all structures visible from a public street shall be of an architectural exterior finish similar to the surrounding structures within the District, exclusive of door and window openings.
- (2) Exterior siding and trim coloring shall be compatible to the surrounding structures in the District.
- (3) Exterior metal facades are prohibited in the DT "Downtown District."
- (4) The exterior walls of all new dwellings to the top plate, shall be constructed exclusively of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (5) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (6) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.

Exterior Building Material Standards



6.7.G Miscellaneous Provisions. Wherever a commercial use adjoins a Residential District and is not separated by a street, a six-foot or taller solid sight-barring fence or landscape barrier will be constructed and maintained along the boundary or property line as permanent screening. All outside lighting features will be placed and reflected so as to not create annoyances, nuisances or hazards.

6.7.H Parking Regulations. See Section 11 Parking Regulations.

6.7.I Sign Regulation. See Section 12 for Sign Regulations.

6.7.J Exceptions to Use, Height and Area Regulations. See Section 10.

6.7.K Garbage Regulations.

- (1) Downtown District will provide a serviceable area specifically for refuse collection designed for refuse canisters. Each designated canister area will be nine feet wide and eight feet deep (72 square feet), with a cement slab base. If the location of the cement slab is adjacent to a Residential District, the slab must be at least five feet from the property line. The refuse area will be enclosed on three sides by a privacy fence. Approach areas will meet the requirements of Subsection 6.7.L.
- (2) Containers, polycarts, receptacles and any other unacceptable waste or recyclables, shall be removed from the curb or other designated collection point by the customer no later than 7:00 a.m. on the day following their scheduled collection day. Each designated area shall be four feet wide and four feet deep (16 square feet), impervious slab. The refuse area will be completely screened by a privacy fence or landscaping.

6.7.L Loading and Unloading Regulations.

- (1) All loading, unloading and maneuvering of vehicles connected with the activity on the premises, must be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced.
- (2) All loading, unloading and maneuvering of vehicles connected with the activity on city streets, must be loaded and unloaded between the hours of 12:00 a.m. (midnight) to 11:00 a.m. The activity must not impede public traffic on city streets.

6.7.M Sidewalk. Property with new construction and/or residential use changing to a commercial use, shall construct a sidewalk along the city right(s)-of-way in accordance with Subdivision Ordinance design standards.

(Ord. 2011-05, passed 4-5-2011; Am. Ord. 2011-26, passed 12-6-2011; Am. Ord. 2014-03, passed 2-4-2014; Am. Ord. 2014-05, passed 3-4-2014; Am. Ord. No. 2018-O-25 , § 1, 8-7-2018; Ord. No. 2021-O-17 , §§ 1, 6, passed 6-1-2021; Ord. No. 2021-O-32 , § 1, passed 8-3-2021)

Sec. 154.08. Planned development district (PD).

8.A Description.

- (1) Planned development districts are designed for greater flexibility and discretion in the application of residential and non-residential zoning and for increased compatibility and the more effective mitigation of potentially adverse impacts on adjacent land than is possible under standard district regulations. It is recognized that it is desirable for certain areas of the city to be developed in accordance with development plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.
- (2) Improvements in a "PD" District are subject to conformance with a development plan approved by the City Council on Planning and Zoning Commission recommendation and after public hearing thereon. No development plan may increase gross density in excess of that allowed by the base district.

8.B Permitted Uses. In a PD Development District, no land shall be used and no building shall be installed, erected for/or converted to any use other than a hereinafter provided.

NON-RESIDENTIAL PLANNED DEVELOPMENTS. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Non-residential uses are situated such that an appreciable amount of land is available for open space or joint use as parking space and is integrated throughout the planned development;
- (3) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (4) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional non-residential projects; and
- (5) The project provides a compatible transition between adjacent existing single-family residential projects and provides a compatible transition for the extension of future single-family projects into adjacent undeveloped areas.

RESIDENTIAL PLANNED DEVELOPMENT. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Dwelling units are situated such that an appreciable amount of land for open space is available and is integrated throughout the planned development;
- (3) The project utilizes an innovative approach in lot configuration and mixture of single-family housing types;
- (4) Higher densities than conventional single-family projects of the same acreage is achievable with appropriate buffering between existing conventional single-family developments and increased open space;
- (5) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;

- (6) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional single-family projects; and
- (7) The project provides a compatible transition between adjacent existing conventional single-family residential projects and provides a compatible transition for the extension of future conventional single-family projects into adjacent undeveloped areas.

8.C Prohibited Uses.

- (1) Any building erected or land used for other than the use shown on the Planned Development Site Plan, as approved by the City Council.
- (2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimensions; and/or lot width, or exceeds the maximum height, building coverage or density per gross acreage as shown in the development's recorded Planned Development Site Plan, as approved by City Council.
- (3) Any use deemed by the City Council as being detrimental to the health, safety or general welfare of the citizens of Stephenville.

8.D Ownership. An application for approval of a Planned Development Plan under the Planned Development District regulations may be filed by a person having legal ownership of the property to be included in the Development Plan. In order to ensure unified planning and development of the property, the applicant shall provide evidence, in form satisfactory to the City Attorney, prior to final approval of the Development Plan, that the property is held in single ownership or is under single control. Land shall be deemed to be held in single ownership or under single control if it is in joint tenancy, tenancy in common, a partnership, a trust or a joint venture. The Development Plan shall be filed in the name(s) of the record owner(s) of the property, which shall be included in the application. CITY ATTORNEY ACCEPTED PROOF OF OWNERSHIP.

8.E Development Schedule.

- (1) An application for a Planned Development District shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, adopted and approved by the City Council, shall become part of the Planned Development Ordinance and shall be adhered to by the owner, developer and their assigns of successors in interest. INCLUDED WITH SUBMITTAL.
- (2) Annually, upon the anniversary date, or more frequently if required, the developer shall provide a written report to the Planning and Zoning Commission concerning the actual development accomplished as compared with the development schedule.
- (3) The Planning and Zoning Commission may, if in its opinion the owner or owners of the property are failing or have failed to meet the approved development schedule, initiate proceedings to amend the Official Zoning map or the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. After the recommendation of the Planning and Zoning commission and for good cause shown by the owner and developer, the City Council may extend the development schedule as may be indicated by the facts and conditions of the case.

8.F Plat Requirements. No application for a building permit for the construction of a building or structure shall be approved unless a plat, meeting all requirement of the City of Stephenville has been approved by the City Council and recorded in the official records of Erath County.

8.G Concept Plan. The applicant for any PD Planned Development shall submit a concept plan to the Planning and Zoning Commission for review prior to submitting a Development Plan. The concept plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

8.H Development Plan Approval Required. No building permit or certificate of occupancy shall be issued and no use of land, buildings or structures shall be made in the "PD" District until the same has been approved as part of a development plan in compliance with the procedures, terms and conditions of this section of the ordinance.

8.I Approval Procedures.

- (1) An application for development plan approval shall be filed with the Director of Community Development accompanied by a development plan.
- (2) The procedures for hearing a request for a zoning change to "PD" shall be the same as for a requested change to any other district as set forth Section 20 of the Zoning Ordinance.
- (3) Any substantive revision to a development plan between the public hearing before the Planning and Zoning Commission and the public hearing before the City Council shall necessitate the development plan being referred back to the Planning and Zoning Commission for review and evaluation unless the revision constitutes a minor change as provided below, or the change was condition of the approval.
- (4) Any revisions to the development plan after the public hearing before the City Council shall be submitted to the Director of Community Development for distribution, review and written evaluation by city staff prior to submission to and approved by the City Council.
- (5) Minor changes to an approved development plan, which will not cause any of the following circumstances to occur, may be authorized by the Director of Community Development or his or her designee:
 - (a) A change in the character of the development;
 - (b) An increase in the gross floor areas in structures;
 - (c) An increase in the intensity of use;
 - (d) A reduction in the originally approved separations between buildings;
 - (e) Any adverse changes in traffic circulation, safety, drainage and utilities;
 - (f) Any adverse changes in such external effects on adjacent property as noise, heat, light, glare, vibration, height scale or proximity;
 - (g) A reduction in the originally approved setbacks from property lines;
 - (h) An increase in ground coverage by structures;
 - (i) A reduction in the ratio of off-street parking and loading space; and
 - (j) A change in the size, height, lighting or orientation of originally approved signs.
- (6) The decision of the Director of Community Development or his or her designee as to whether minor changes are being requested may be appealed to the Planning and Zoning Commission. Any change deemed not to be minor change, as indicated above, shall be processed as a new application in accordance with the provisions of this section and Section 20.1 of the Zoning Ordinance.

8.J Development Plan Requirements. The development plan submitted in support of a request for development plan approval shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities and what protection features are included to insure that the development will be compatible with existing and allowable development on adjacent property. The development plan shall show at least the following items of information:

- (1) The location of all existing and planned non-single-family structures on the subject property;
- (2) Landscaping lighting and/or fencing and/or screening of common areas;

- (3) General locations of existing tree clusters, providing average size and number and indication of species;
- (4) Location and detail of perimeter fencing if applicable;
- (5) General description/location of ingress and egress with description of special pavement treatment if proposed;
- (6) Off-street parking and loading facilities, and calculations showing how the quantities were obtained for all non single-family purposes;
- (7) Height of all non-single-family structures;
- (8) Proposed uses;
- (9) Location and description of subdivision signage and landscaping at entrance areas;
- (10) Street names on proposed streets;
- (11) Proposed minimum area regulations including, set-backs, lot-sizes, widths, depths, side-yards, square footage or residential structures;
- (12) Indication of all development phasing and platting limits; and
- (13) Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.

8.K Conditions for Development Plan Approval.

- (1) A development plan shall be approved only if all of the following conditions have been found during the review and process:
 - (a) That the uses will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values with the immediate vicinity;
 - (b) That the establishment of the use or uses will not impede the normal and orderly development and improvements of surrounding vacant property;
 - (c) That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
 - (d) That the design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
 - (e) That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
 - (f) That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- (2) In approving a development plan, the City Council may impose additional conditions necessary to protect the public interest and welfare of the community.

8.L Additional Conditions. Every Planned Development District approved under the provisions of this Ordinance shall be considered as an amendment to the Ordinance as applicable to the property involved. In an approved Planned Development District, the City Council may impose conditions relative to the standard of development, and such conditions shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the Planned Development District; and such condition shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be constructed as conditions precedent to the granting of a certificate of occupancy.

8.M Revocation.

- (1) Approval of a development plan may be revoked or modified, after notice and hearing, for either of the following reasons:
 - (a) Approval was obtained or extended by fraud or deception; or
 - (b) That one or more of the conditions imposed by the City Council on the development plan has not been met or has been violated.
- (2) Development controls:
 - (a) The City Council may impose more restrictive requirements than those proposed in the development plan in order to minimize incompatibilities;
 - (b) A "PD" District shall have a minimum lot area of not less than one acre under unified control;
 - (c) The parking requirements of the Zoning Ordinance shall apply to all uses in the "PD" District unless otherwise specified on the development plan; and
 - (d) "PD" provisions may vary setbacks with approval.

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

- 1) Recommend the City Council approve the rezone request to planned development.
- 2) Recommend the City Council deny the rezone request to planned development.

STEPHENVILLE RENTALS, LLC.
Site Development Projections
For 154 W. Washington and 171 W. Washington,
Stephenville, Texas 76401

1. January 1, 2023

- Projected date of approval of plans and specifications for both 154 and 171 W. Washington projects from Texas Historical Commission and the National Park Service

Note: 154 W. Washington application has previously been approved but fire marshal requirement for sprinkler system to be added requires resubmission

Note: 171 W. Washington is a new application that will have to be processed by both regulatory agencies and it should be submitted within three weeks after today's meeting and approval of zoning

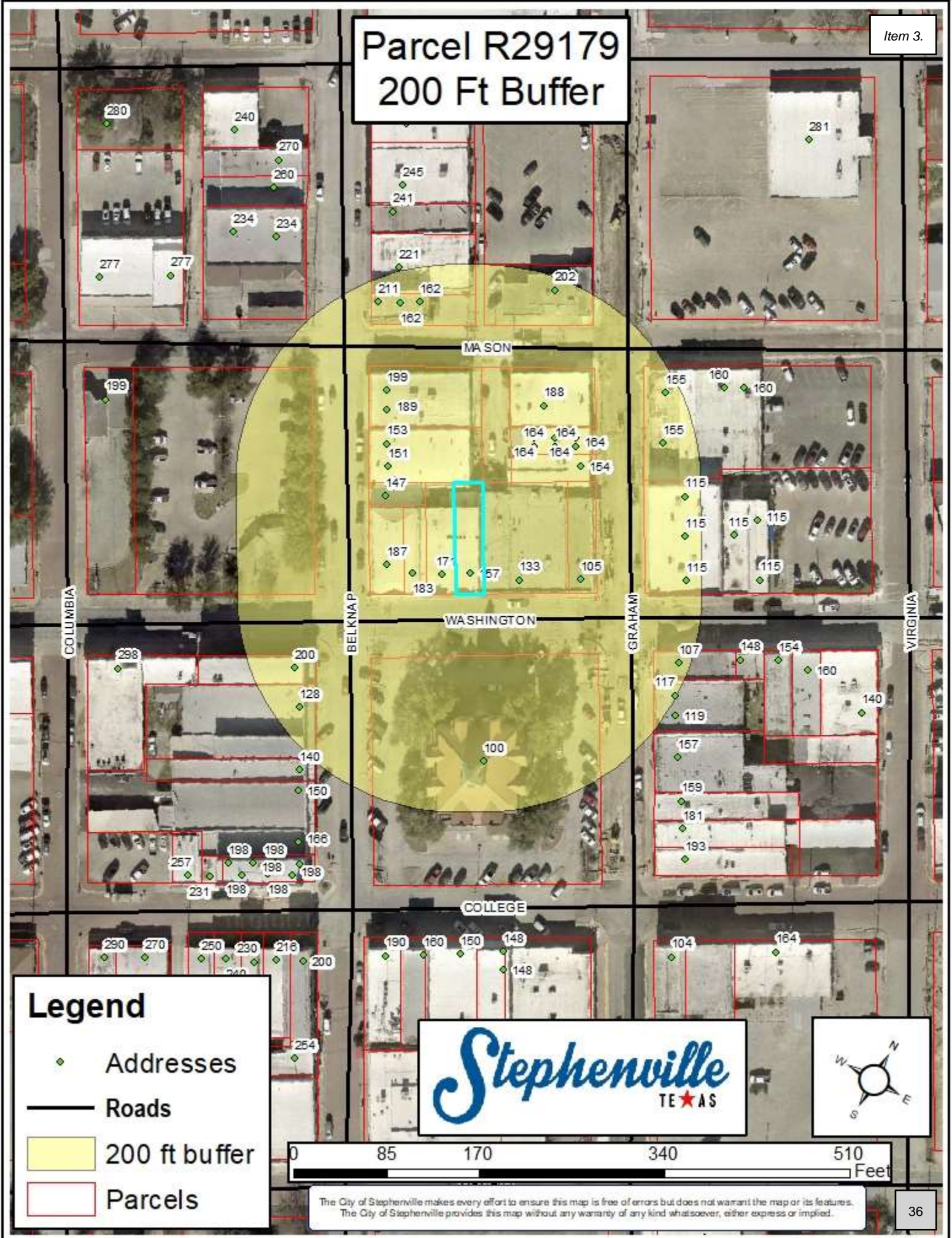
2. March 1, 2023

- Projected date for commencement of construction of approved plans on both buildings

3. September 1, 2023

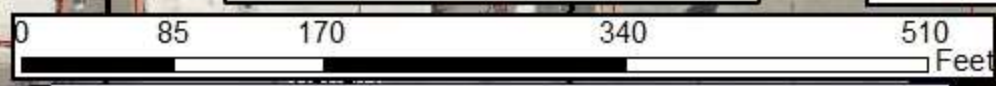
- Projected date to complete construction and secure approval from Texas Historical Commission and the National Park Service

Parcel R29179 200 Ft Buffer



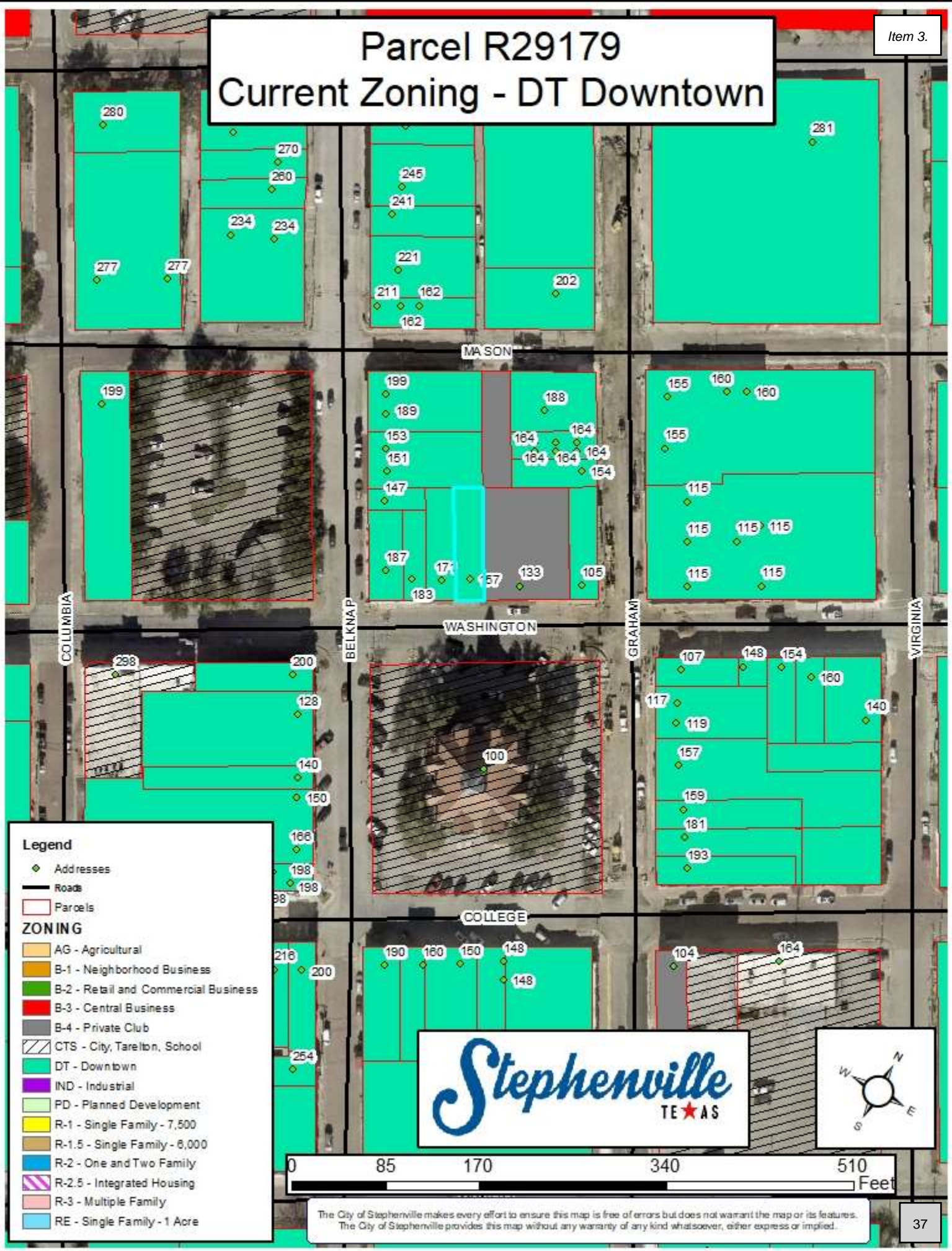
Legend

- ◆ Addresses
- Roads
- 200 ft buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29179 Current Zoning - DT Downtown



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

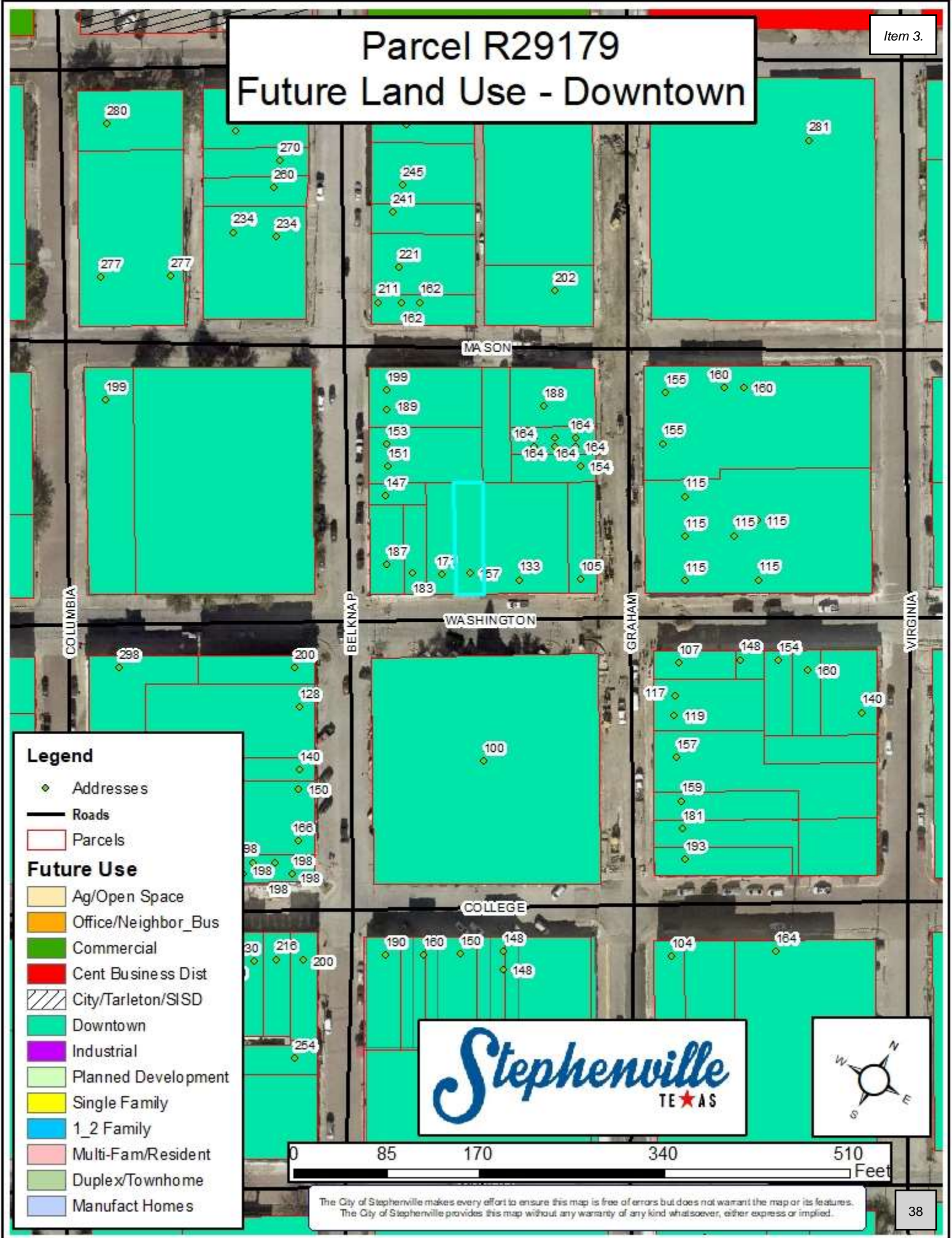
ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareln, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29179 Future Land Use - Downtown



Legend

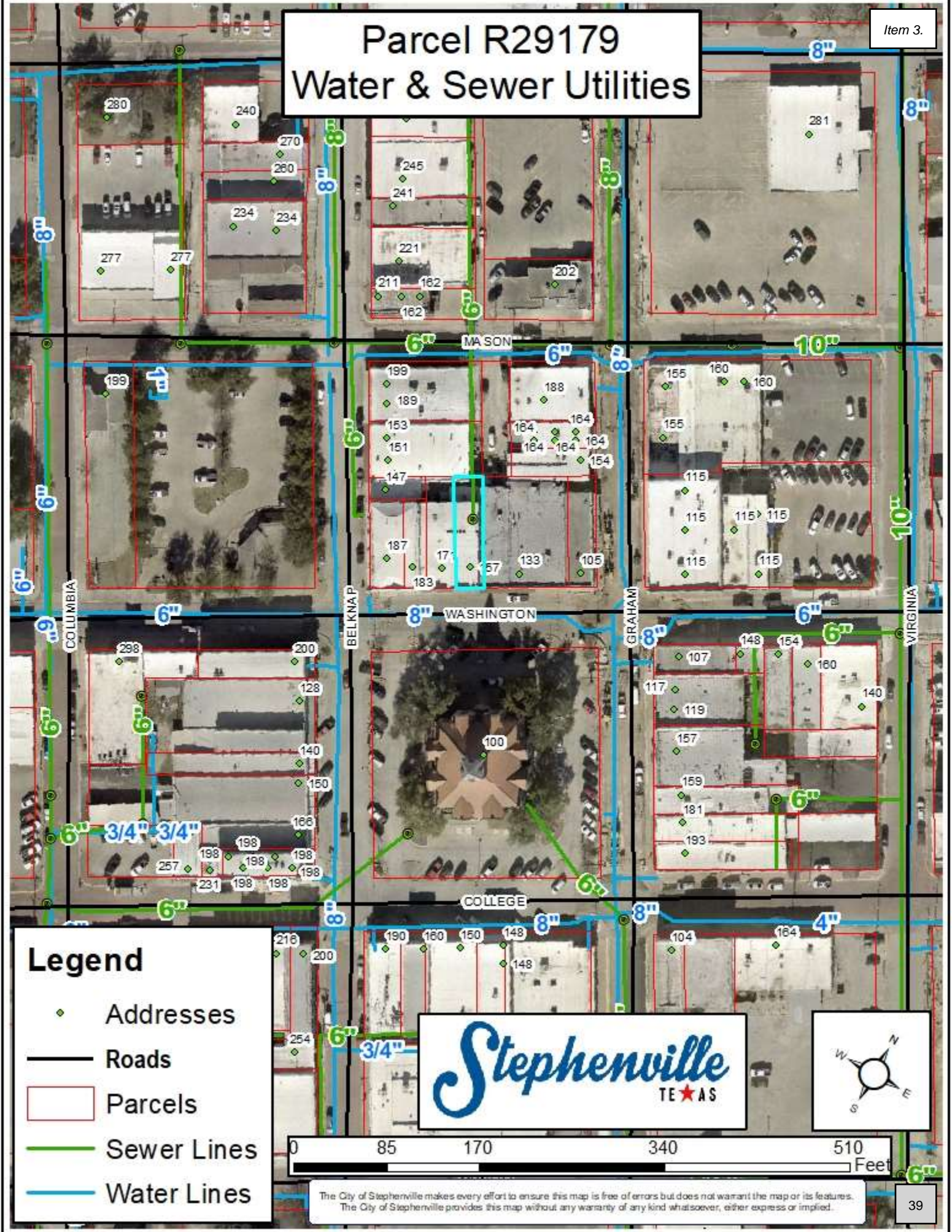
- ◆ Addresses
- Roads
- ▭ Parcels
- Future Use**
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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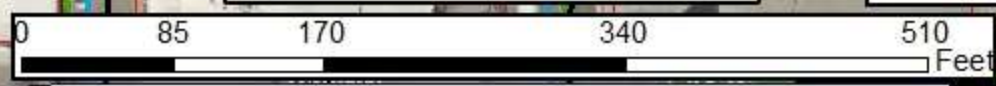
Parcel R29179 Water & Sewer Utilities

Item 3.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Sewer Lines
- Water Lines

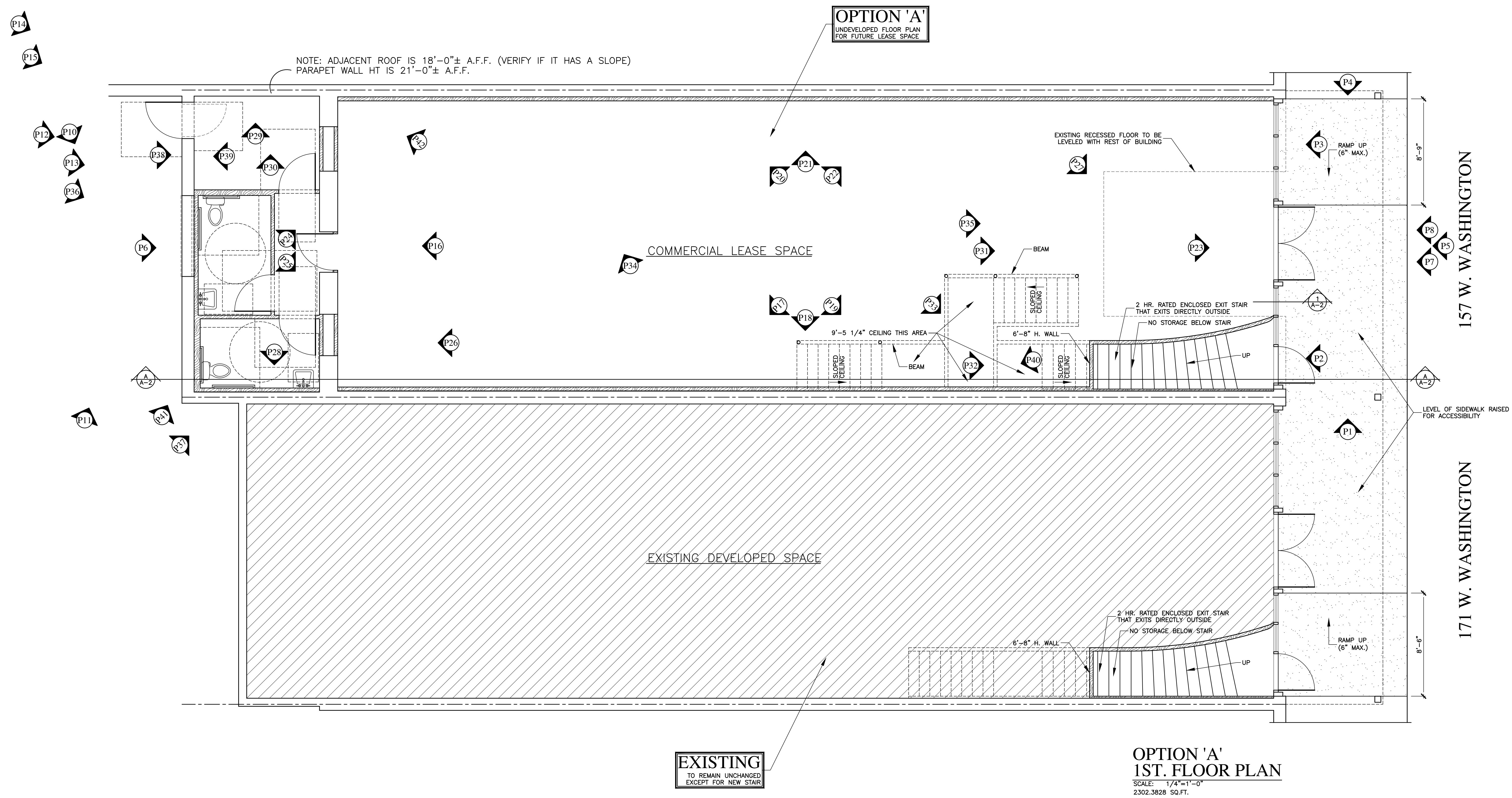
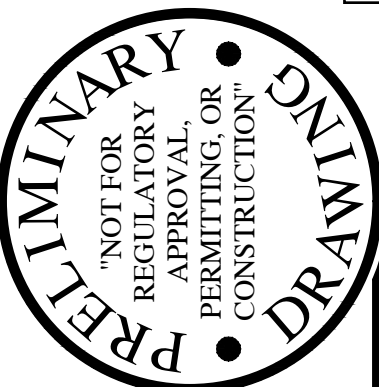


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29179 Address List

Item 3.

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|------------------|--|----------------------------|--------------|-------|------------|
| R000029175 | 115 N GRAHAM | BMF PROPERTIES LLC | 115 N GRAHAM ST #202 | STEPHENVILLE | TX | 76401 |
| R000029189 | 153 N BELKNAP | BURDICK RENEE W | 702 PRAIRIE WIND | STEPHENVILLE | TX | 76401 |
| R000029183 | 105 W WASHINGTON | BUTCHER ALLAN K JR | PO BOX 690394 | SAN ANTONIO | TX | 78269-0394 |
| R000029181 | 133 W WASHINGTON | CAFE TRIFLES INC | 133 W WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000029187 | 0 MASON | CAFE TRIFLES INC | 133 W WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000029191 | 200 MASON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029202 | 200 W WASHINGTON | CJW PARTNERS LLC | PO BOX 909 | STEPHENVILLE | TX | 76401 |
| R000029168 | 119 S GRAHAM | COATS JIM & PATSY | 1187 AZALEA LN | STEPHENVILLE | TX | 76401-0000 |
| R000029201 | 128 S BELKNAP | COATS JIM & PATSY | 1187 AZALEA LN | STEPHENVILLE | TX | 76401-0000 |
| R000029190 | 147 N BELKNAP | DOUBLE W INVESTMENTS LLC | 6440 N. CENTRAL EXPRESSWAY | DALLAS | TX | 75206 |
| R000029150 | 100 W WASHINGTON | ERATH COUNTY | 100 W WASHINGTON | STEPHENVILLE | TX | 76401-0000 |
| R000029199 | 150 S BELKNAP | EVATT INVESTMENTS | 1425 PECAN HILL RD | STEPHENVILLE | TX | 76401-9656 |
| R000029257 | 0 N GRAHAM | GRAHAM ST CHURCH OF CHRIST CORP | PO BOX 6 | STEPHENVILLE | TX | 76401-0000 |
| R000029252 | 211 N BELKNAP | J BAR F RENTALS LLC | 137 SANDRA PALMER | STEPHENVILLE | TX | 76401 |
| R000029188 | 199 N BELKNAP | K PENDRAY PROPERTIES LLC | 2345 CR177 | STEPHENVILLE | TX | 76401 |
| R000029262 | 202 N GRAHAM | KEUNG LEUNG YIP | 1607 AUSTIN AVE | BROWNWOOD | TX | 76801 |
| R000029169 | 107 S GRAHAM | SHAHAN DEDRA | 107 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029177 | 187 W WASHINGTON | STEPHENVILLE CHAMBER OF COMMERCE IN | PO BOX 306 | STEPHENVILLE | TX | 76401-0000 |
| R000043723 | 183 W WASHINGTON | STEPHENVILLE CHAMBER OF COMMERCE INC | 187 WEST WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000029176 | 155 N GRAHAM | STEPHENVILLE PROPERTIES LLC | 155 N GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029178 | 171 W WASHINGTON | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029179 | 157 W WASHINGTON | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029184 | 154 N GRAHAM | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029185 | 164 N GRAHAM | STEPHENVILLE RENTALS LLC & GEN-GRACE EQUITY LP | 181 SOUTH GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029186 | 188 N GRAHAM | TEXOR LLC | 3338 CR253 | STEPHENVILLE | TX | 76401 |
| R000029253 | 221 N BELKNAP | WOOLEY GEORGE ALLEN & KATHRYN WARD | 221 BELKNAP | STEPHENVILLE | TX | 76401 |



OPTION 'A'
UNDEVELOPED FLOOR PLAN
FOR FUTURE LEASE SPACE

NOTE: ADJACENT ROOF IS 18'-0"± A.F.F. (VERIFY IF IT HAS A SLOPE)
PARAPET WALL HT IS 21'-0"± A.F.F.

COMMERCIAL LEASE SPACE

EXISTING DEVELOPED SPACE

EXISTING
TO REMAIN UNCHANGED
EXCEPT FOR NEW STAIR

OPTION 'A'
1ST. FLOOR PLAN
SCALE: 1/4"=1'-0"
2302.3828 SQ.FT.

157 W. WASHINGTON

171 W. WASHINGTON

ARCHITECT
JOHN G. BEVERLY
STEPHENVILLE, TEXAS 76401
P.O. BOX 1990
(254) 968-4211 O. (254) 396-9999 M.
john@jgbrch.com

CLIENT
JAKE WILSON & THEO BAUER BUILDINGS
157 & 171 WEST WASHINGTON STREET, STEPHENVILLE, TEXAS

DRAWINGS THIS SHEET:
1ST. FLOOR PLAN-VACANT LEASE SPACE

START DATE: 4/30/18
JOB NUMBER: 18C08
SHEET NO: A-1
OF: ..

REVISIONS:
5/16/22
DRAWN BY: J.G.B.



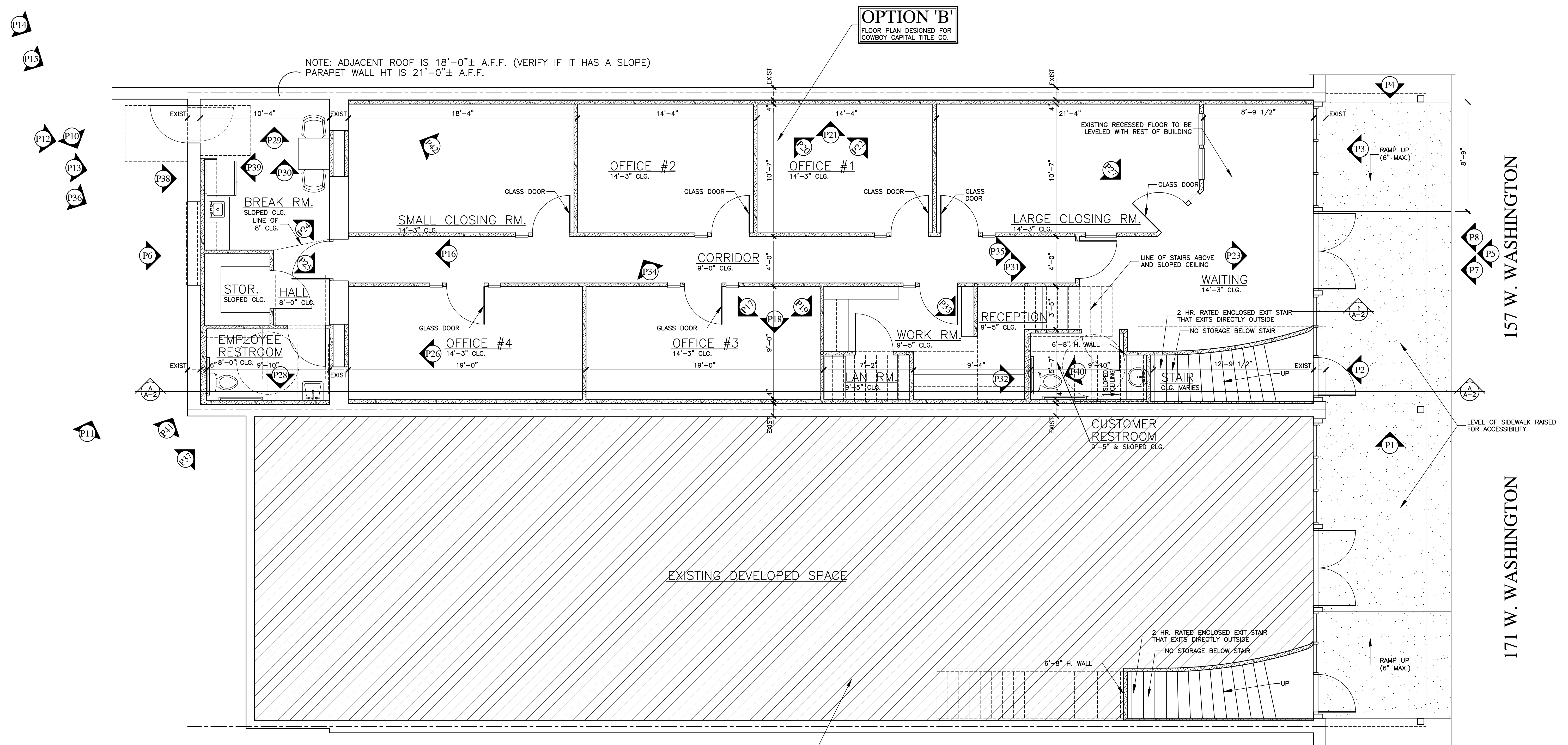


DUPLEX OVER COMMERCIAL DEVELOPMENT OF THE JAKE WILSON & THEO BAUER BUILDINGS
STEPHENVILLE, TEXAS 76401
john@jgbeverly.com

ARCHITECT JOHN G. BEVERLY
P.O. BOX 1990 STEPHENVILLE, TEXAS 76401
(254) 968-4211 O. (254) 396-9999 M.

DRAWINGS THIS SHEET: 1ST FLOOR PLAN-COWBOY COUNTRY TITLE

START DATE: 4/30/18
JOB NUMBER: 18C08
SHEET NO: A-2
OF: .



OPTION 'B'
FLOOR PLAN DESIGNED FOR
COWBOY CAPITAL TITLE CO.

NOTE: ADJACENT ROOF IS 18'-0"± A.F.F. (VERIFY IF IT HAS A SLOPE)
PARAPET WALL HT IS 21'-0"± A.F.F.

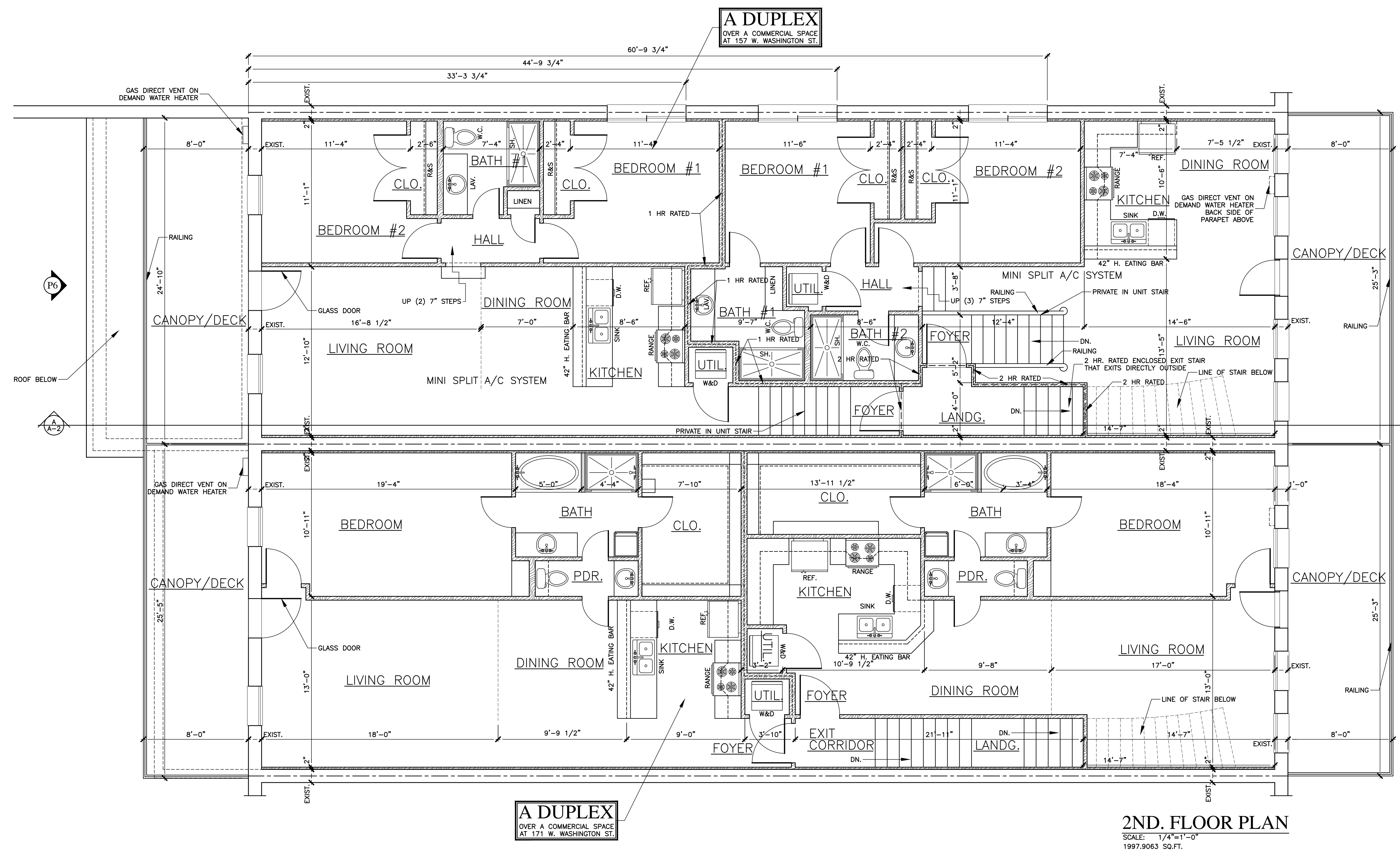
EXISTING
TO REMAIN UNCHANGED
EXCEPT FOR NEW STAIR

OPTION 'B'
1ST. FLOOR PLAN
SCALE: 1/4"=1'-0"
2302.3828 SQ.FT.

157 W. WASHINGTON

171 W. WASHINGTON

LEVEL OF SIDEWALK RAISED FOR ACCESSIBILITY



2ND. FLOOR PLAN
SCALE: 1/4"=1'-0"
1997.9063 SQ.FT.

157 W. WASHINGTON

171 W. WASHINGTON

P14
P15
P12
P10
P13
P36

P6

P5

A-2

A-2

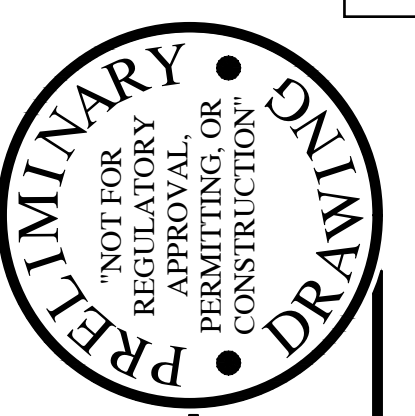
ARCHITECT
DUPLEX OVER COMMERCIAL DEVELOPMENT OF THE
JAKE WILSON & THEO BAUER BUILDINGS
STEPHENVILLE, TEXAS 76401
john@jgarch.com

JOHN G. BEVERLY
P.O. BOX 1990
STEPHENVILLE, TEXAS 76401
(254) 968-4211 O. (254) 396-9999 M.

DRAWINGS THIS SHEET:
2ND. FLOOR PLAN

SHEET NO: A-3
JOB NUMBER: 18C08
START DATE: 4/30/18
REVISED: 5/16/22
DRAWN BY: J.G.B.



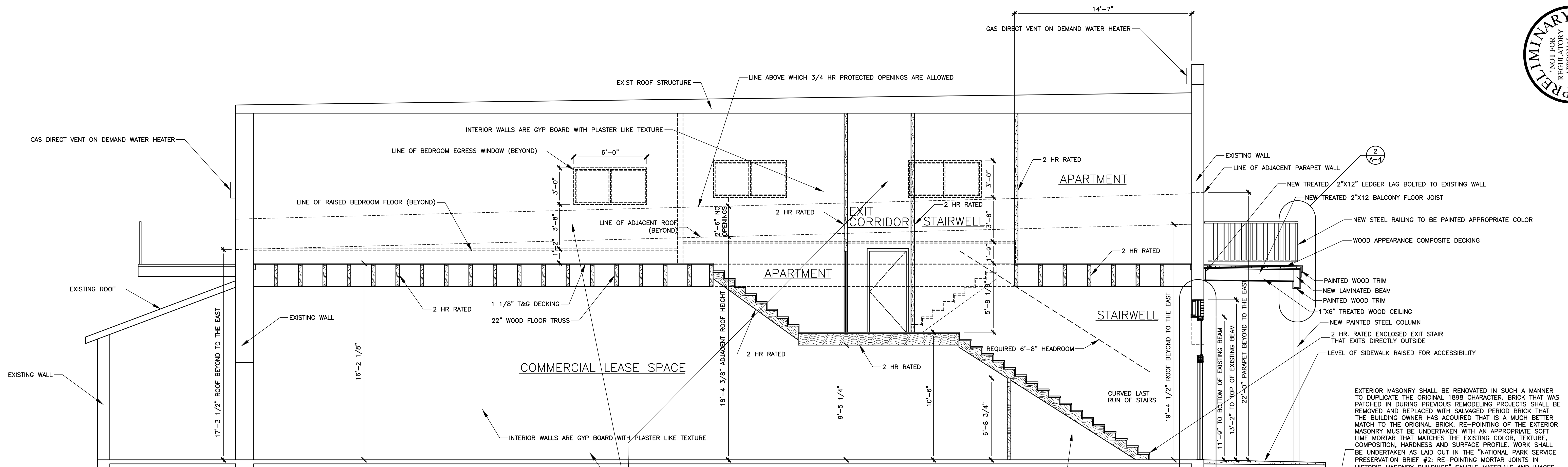


DUPLEX OVER COMMERCIAL DEVELOPMENT OF THE JAKE WILSON & THEO BAUER BUILDINGS 157 & 171 WEST WASHINGTON STREET, STEPHENVILLE, TEXAS

ARCHITECT JOHN G. BEVERLY P.O. BOX 1990 STEPHENVILLE, TEXAS 76401 (254) 968-4211 O. (254) 396-9999 M. jgib@jgibarchi.com

DRAWINGS THIS SHEET: BUILDING SECTION FRONT ELEVATION

START DATE: 4/30/18 JOB NUMBER: 18C08 SHEET NO: A-4 OF: 18

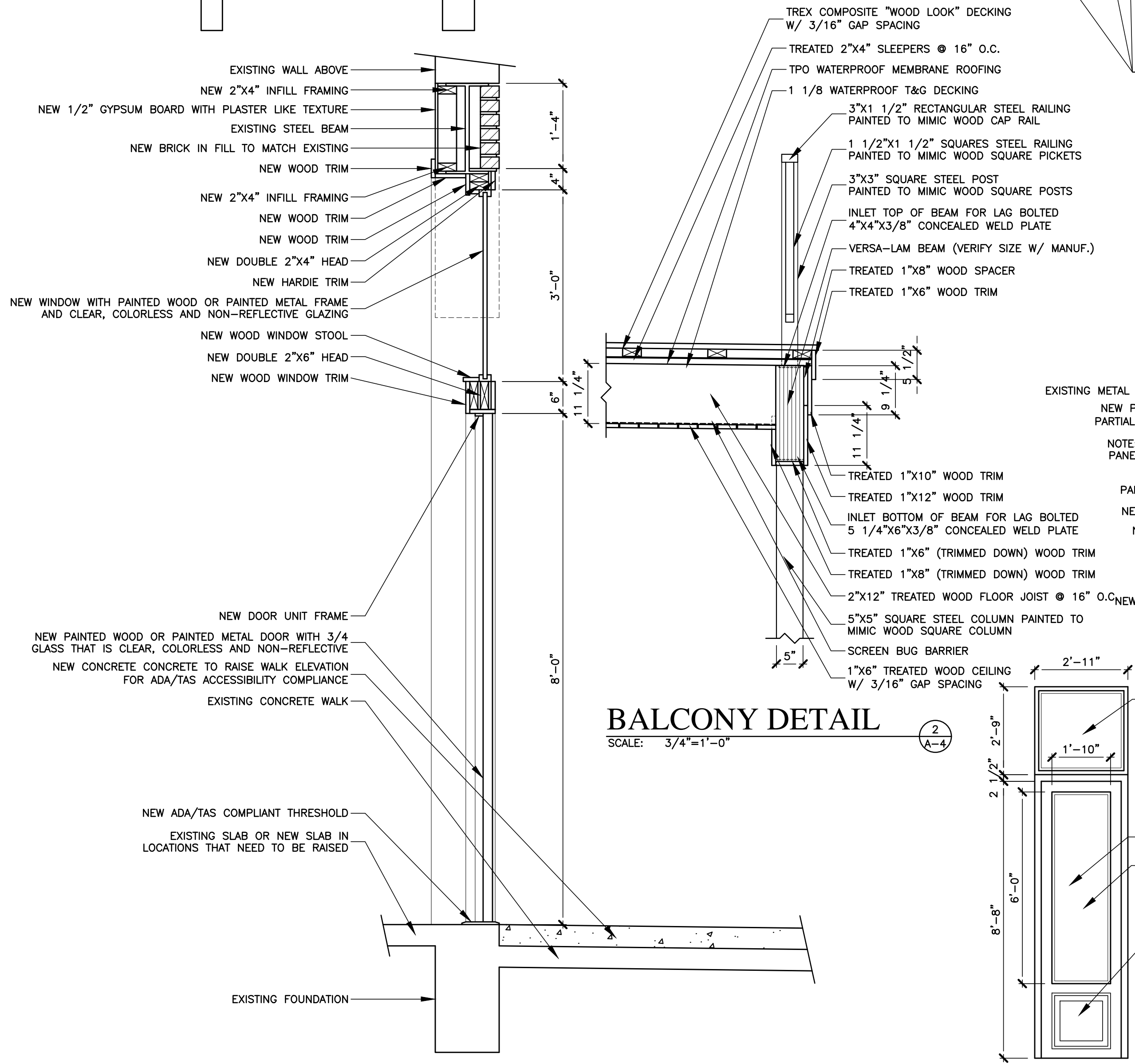


BUILDING SECTION

SCALE: 1/4"=1'-0"

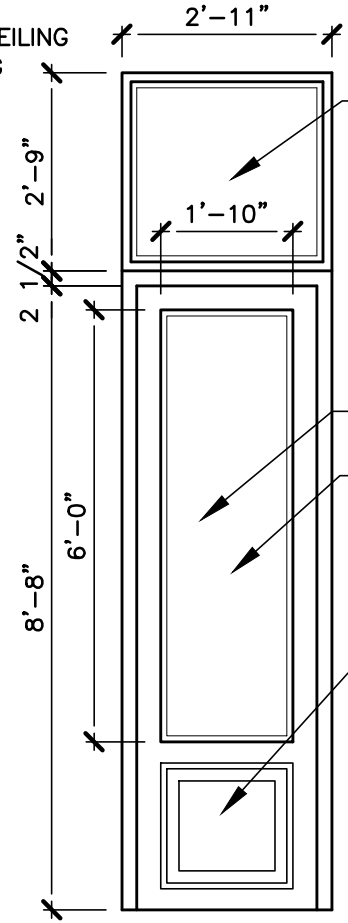
INTERIOR FINISHES SHALL BE, AS THE BUILDING HISTORICALLY HAD IN THE PAST. ALL SURFACES INCLUDING WALLS, CEILINGS, AND FLOORS SHALL HAVE SMOOTH FINISHES THAT CONCEAL THE STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS. INTERIOR WOOD TRIM INCLUDING WINDOW AND DOOR CASINGS, BASEBOARDS, CROWN MOLDING, AS WELL AS INTERIOR DOORS SHALL BE SIMPLE AND COMPATIBLE WITH THE HISTORIC BUILDING FLOORING IN THE MAIN SPACES ON THE FIRST FLOOR SHALL BE WOOD OR TILE. WOOD LOOK VINYL IS NOT ACCEPTABLE. SELECTIONS OF THE ABOVE ITEMS MUST BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. TENANT FINISH-OUT INCLUDING INTERIOR FINISH WORK AND SIGNAGE IS ALSO SUBJECT TO REVIEW AND APPROVAL WHEN A TENANT HAS BEEN SECURED. IF NO TENANT HAS BEEN SECURED, THE PROJECT MAY BE CERTIFIED IF THE SPACE HAS BEEN BROUGHT TO A BASIC "WHITE BOX" CONDITION (FINISH SURFACES, CONCEALED SYSTEMS).

EXTERIOR MASONRY SHALL BE RENOVATED IN SUCH A MANNER TO DUPLICATE THE ORIGINAL 1898 CHARACTER. BRICK THAT WAS PATCHED IN DURING PREVIOUS REMODELING PROJECTS SHALL BE REMOVED AND REPLACED WITH SALVAGED PERIOD BRICK THAT THE BUILDING OWNER HAS ACQUIRED THAT IS A MUCH BETTER MATCH TO THE ORIGINAL BRICK. RE-POINTING OF THE EXTERIOR MASONRY MUST BE UNDERTAKEN WITH AN APPROPRIATE SOFT LIME MORTAR THAT MATCHES THE EXISTING COLOR, TEXTURE, COMPOSITION, HARDNESS AND SURFACE PROFILE. WORK SHALL BE UNDERTAKEN AS LAID OUT IN THE "NATIONAL PARK SERVICE PRESERVATION BRIEF #2: RE-POINTING MORTAR JOINTS IN HISTORIC MASONRY BUILDINGS" SAMPLE MATERIALS AND IMAGES OF PROPOSED WORK SHALL BE PRESENTED TO THE STATE HISTORIC PRESERVATION OFFICE FOR REVIEW BEFORE EXTENSIVE MASONRY RENOVATION IS DONE. GOOD QUALITY, CLOSE UP COLOR PHOTOS, BOTH BEFORE AND AFTER RE-POINTING AND BRICK REPLACEMENT SHALL BE TAKEN AND SUBMITTED WITH THE PART 3: REQUEST FOR CERTIFICATION OF COMPLETED WORK.



BALCONY DETAIL

SCALE: 3/4"=1'-0"

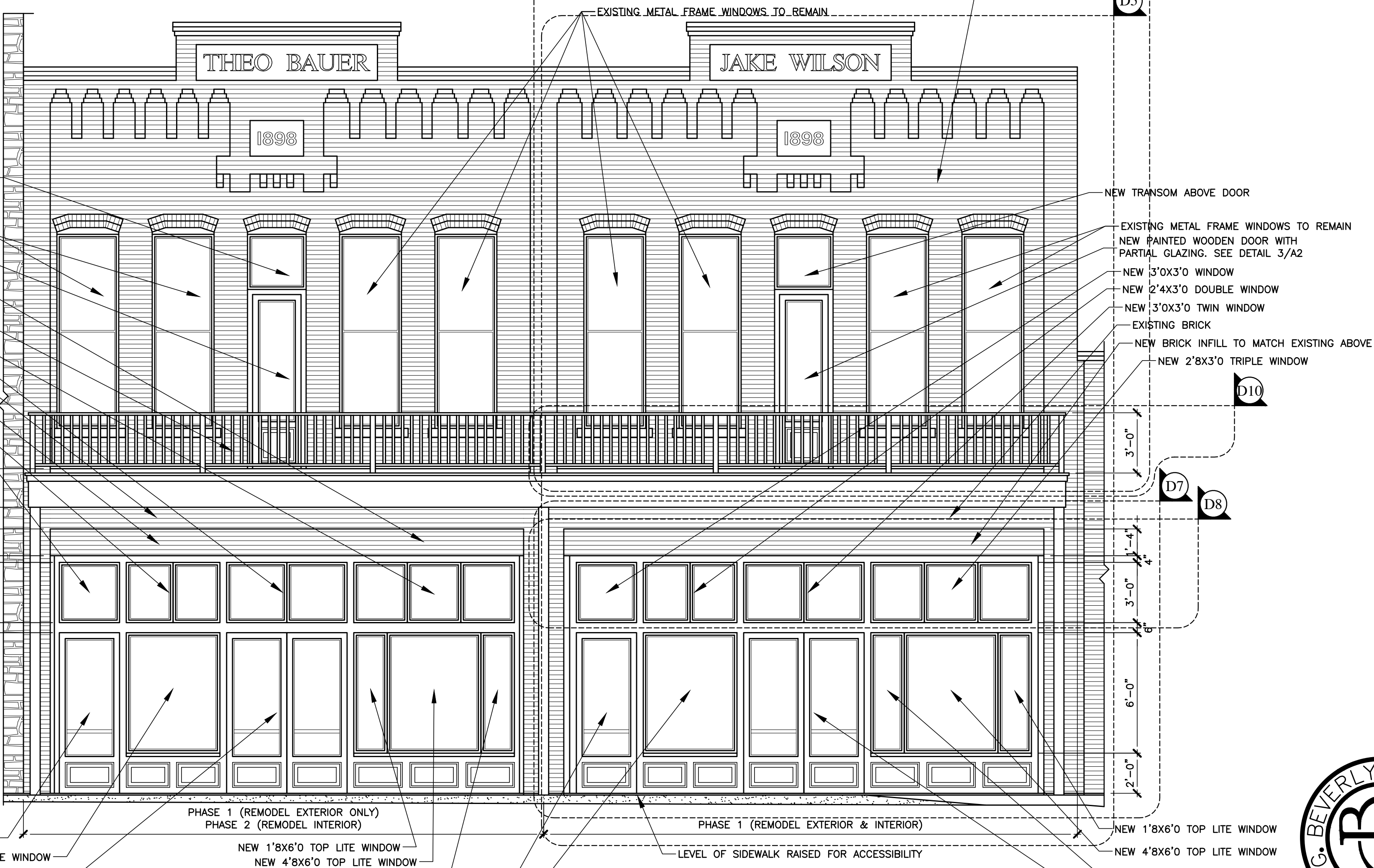


DOOR DETAIL

SCALE: 1/4"=1'-0"

FRONT ELEVATION

SCALE: 1/4"=1'-0"



FRONT ELEVATION

SCALE: 1/4"=1'-0"

PHASE 1 (REMODEL EXTERIOR ONLY) PHASE 2 (REMODEL INTERIOR)

PHASE 1 (REMODEL EXTERIOR & INTERIOR)



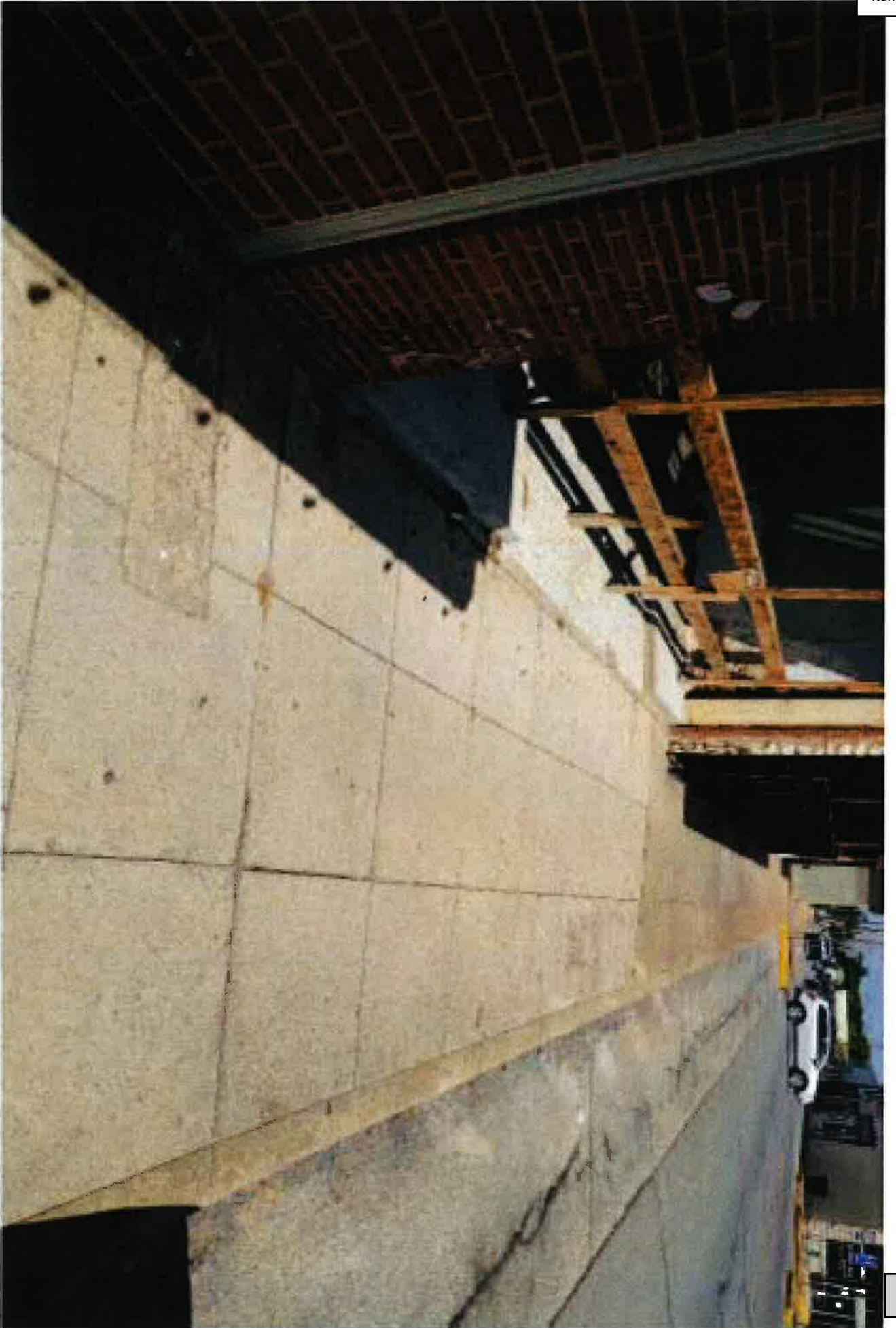
Item 3.



Figure 2 Interior North East Wall of Jake Wilson Building



Figure 1 Ceiling of Jake Wilson Building
Looking towards the North end of building with back facing Washington Street

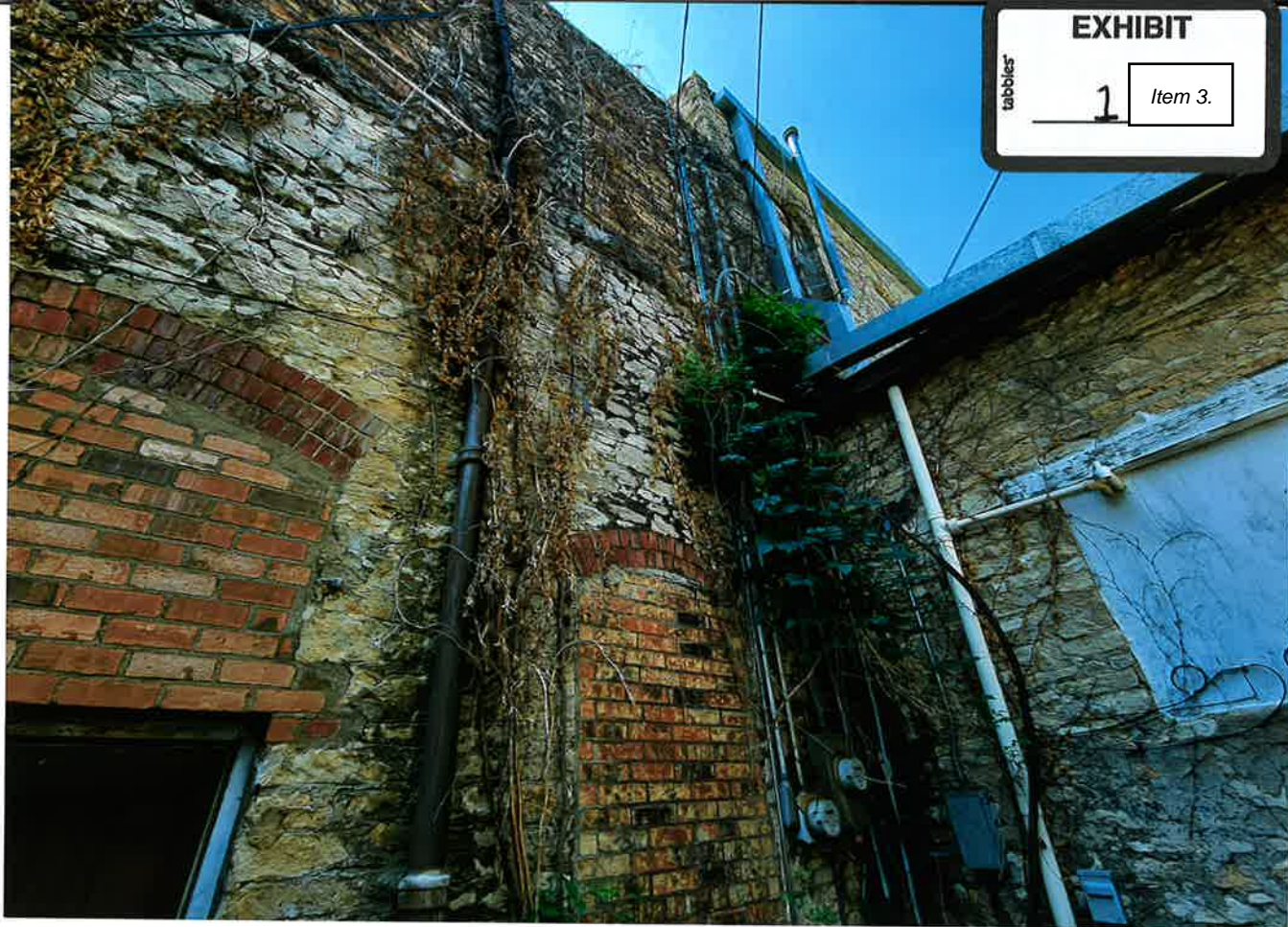


Picture P1

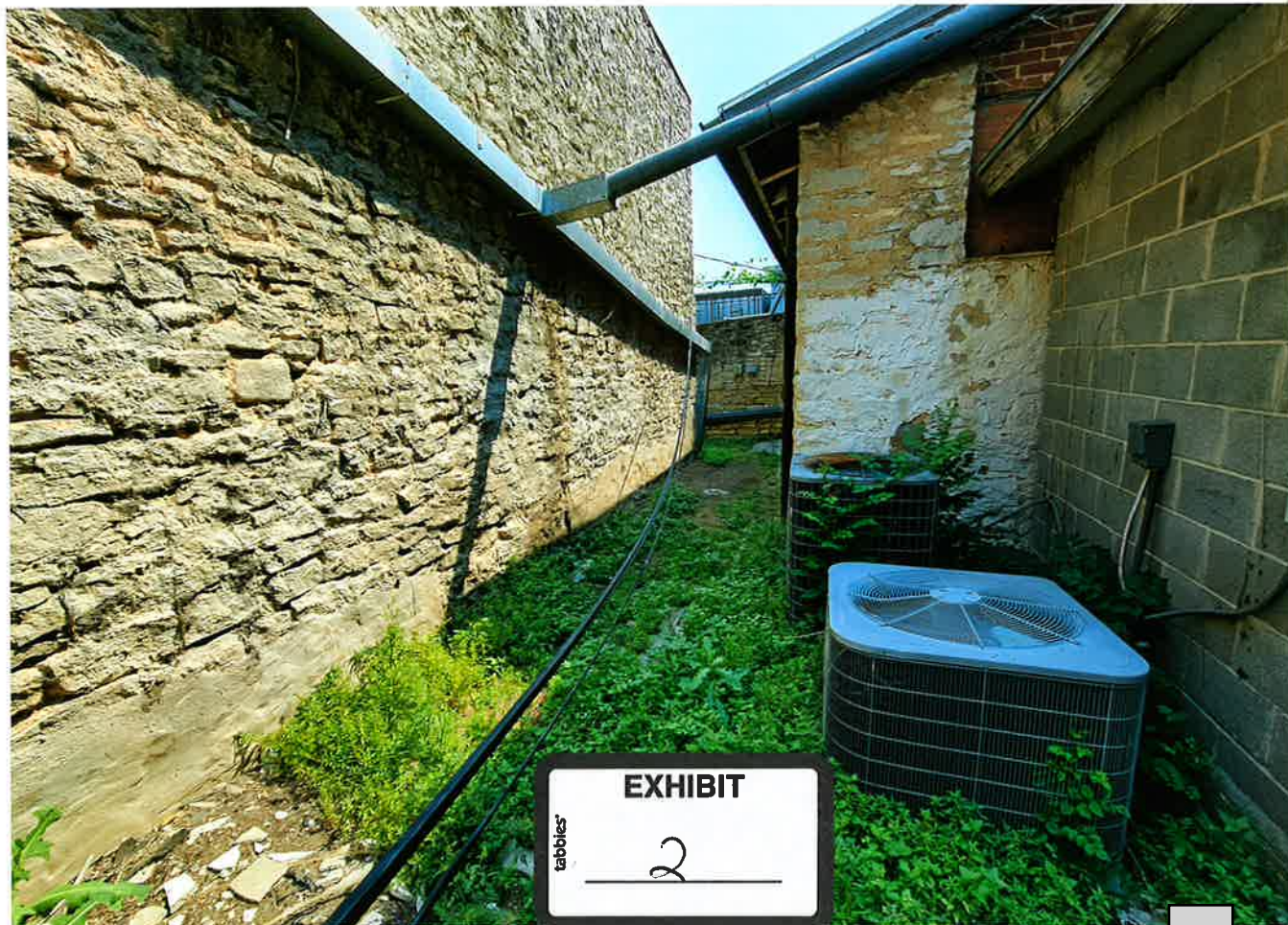
Andreea Flores
512-475-0129

**Schedule of Photographs of Theo Bauer Building
Stephenville, Texas**

| Photograph Exhibit No. | Description |
|-------------------------------|---|
| 1 | Back wall of building |
| 2 | Back wall and area of land behind building |
| 3 | Back wall of building |
| 4 | Back door of building and added equipment room |
| 5 | Interior room of first floor (existing beauty salon) |
| 6 | Interior room of first floor (existing beauty salon) |
| 7 | Steel vault storage room |
| 8 | Interior room of first floor (existing beauty salon) |
| 9 | Interior room of midlevel floor (existing beauty salon) |
| 10 | Interior room of midlevel floor (existing beauty salon) |
| 11 | Bathroom on first floor |
| 12 | Bathroom on first floor |
| 13 | Hall area first floor |
| 14 | Back interior room of first floor (existing beauty salon) |
| 15 | Interior room of midlevel floor (existing beauty salon) |
| 16 | Interior room of midlevel floor (existing beauty salon) |
| 17 | Interior room of midlevel floor (existing beauty salon) |
| 18 | Interior room of first floor (existing beauty salon) |
| 19 | Hallway door to second floor |
| 20 | Common area first floor and stairway to midlevel floor |
| 21 | Back door and back wall of building |
| 22 | Interior stairway to midlevel floor |
| 23 | Stairway from midlevel floor to second floor |
| 24 | Interior room second floor |
| 25 | View of Courthouse square from second floor |
| 26 | Air conditioning unit second floor |
| 27 | Front room second floor showing portion of old stairway remaining |
| 28 | Front room second floor |
| 29 | Front room second floor |
| 30 | Front room second floor from interior partition wall |
| 31 | Interior room second floor |
| 32 | Stairwell to midlevel floor from second level floor |
| 33 | Stairwell to midlevel floor from first floor |

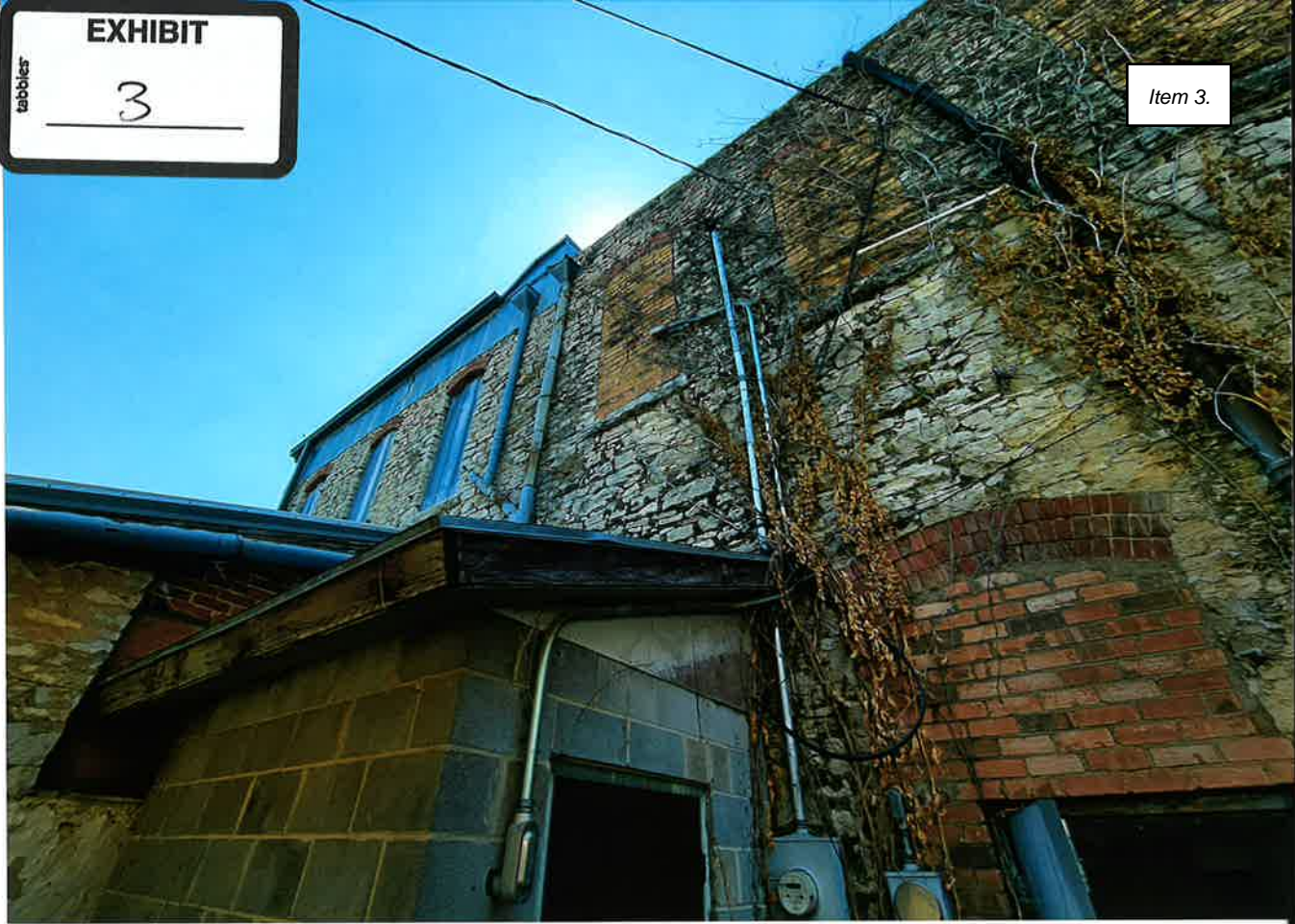


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EXHIBIT
1 Item 3.



tabbles®
EXHIBIT
2

tabbles
EXHIBIT
3



Item 3.

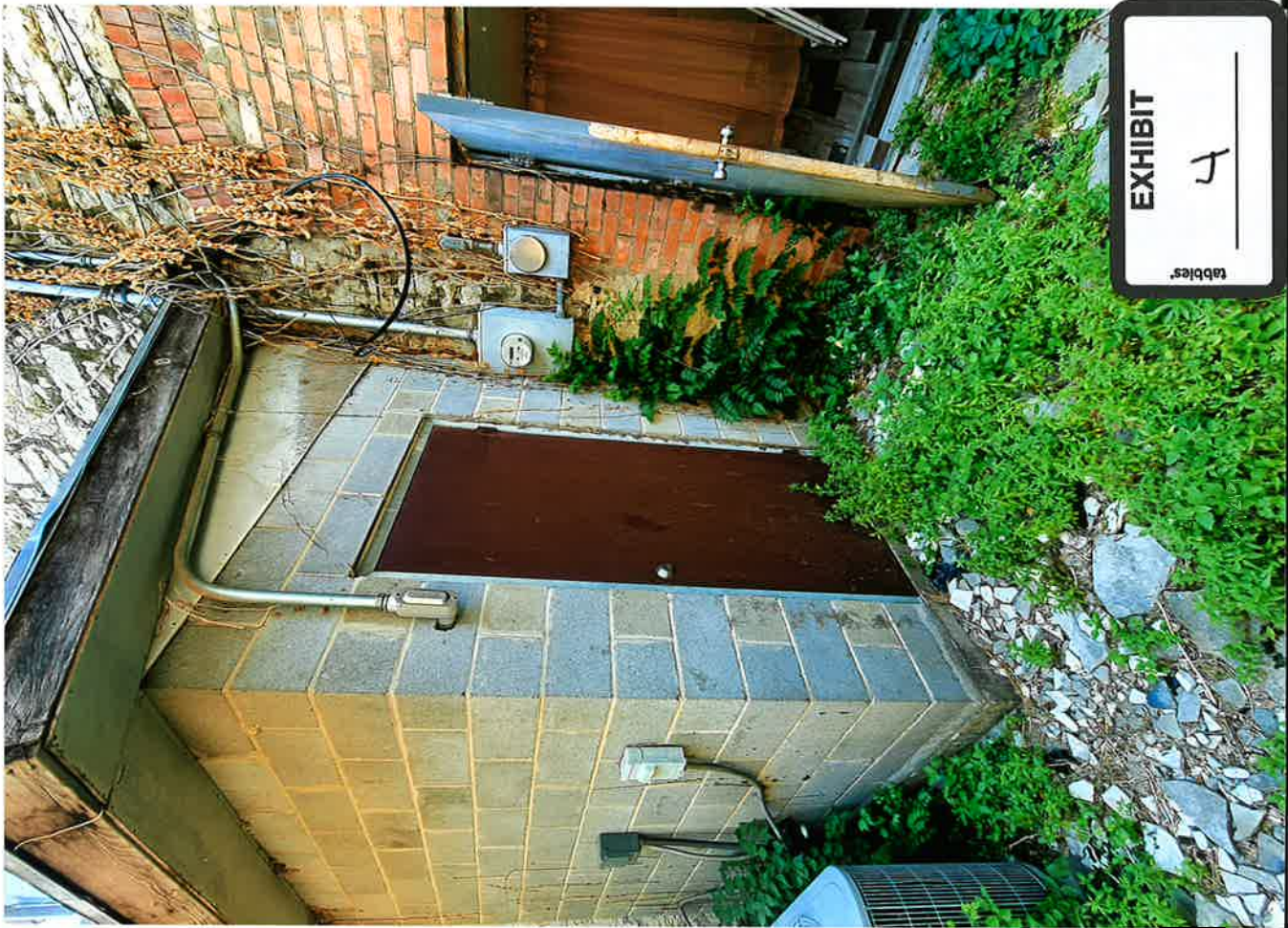
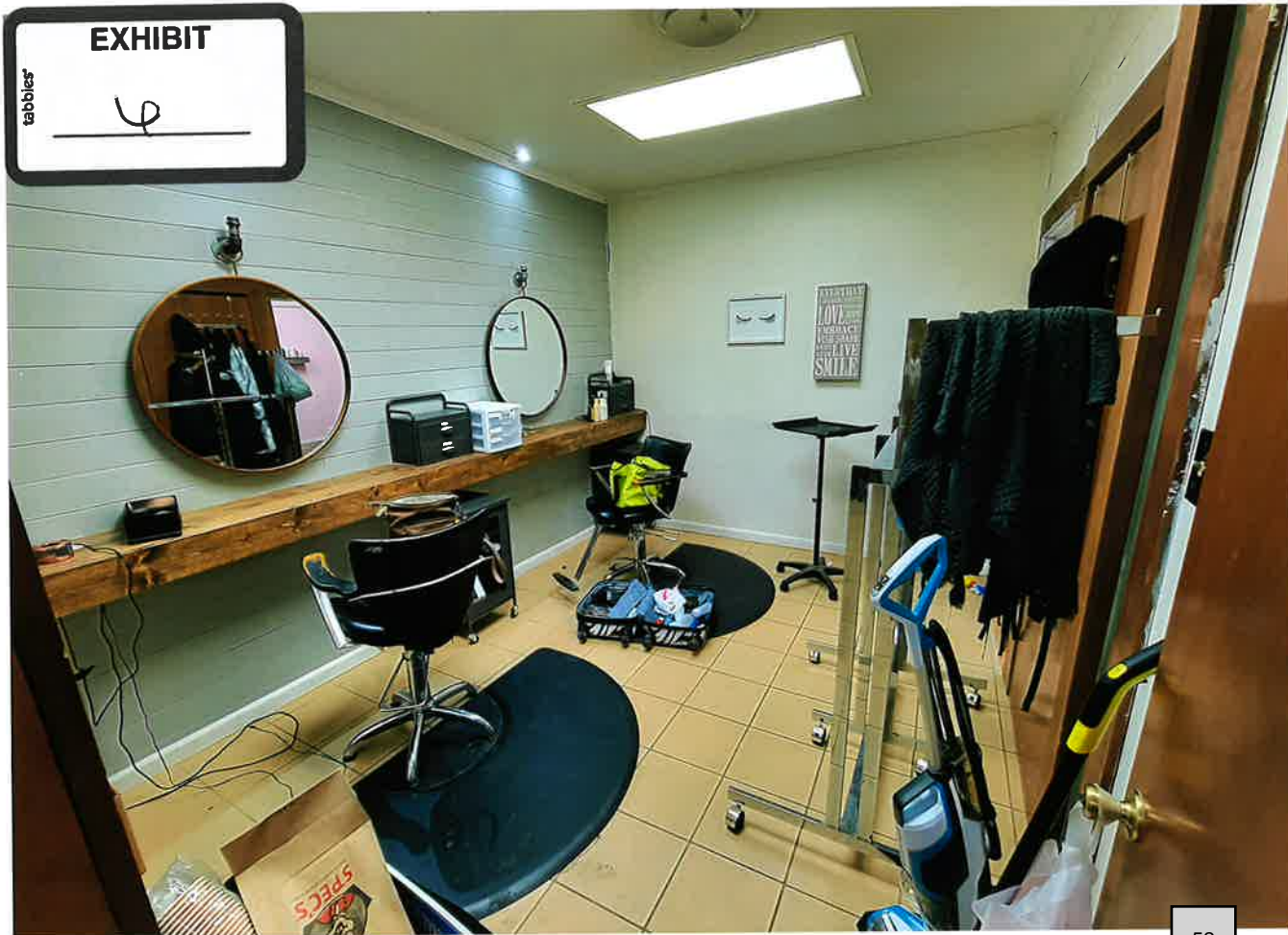


EXHIBIT
J
tabbles

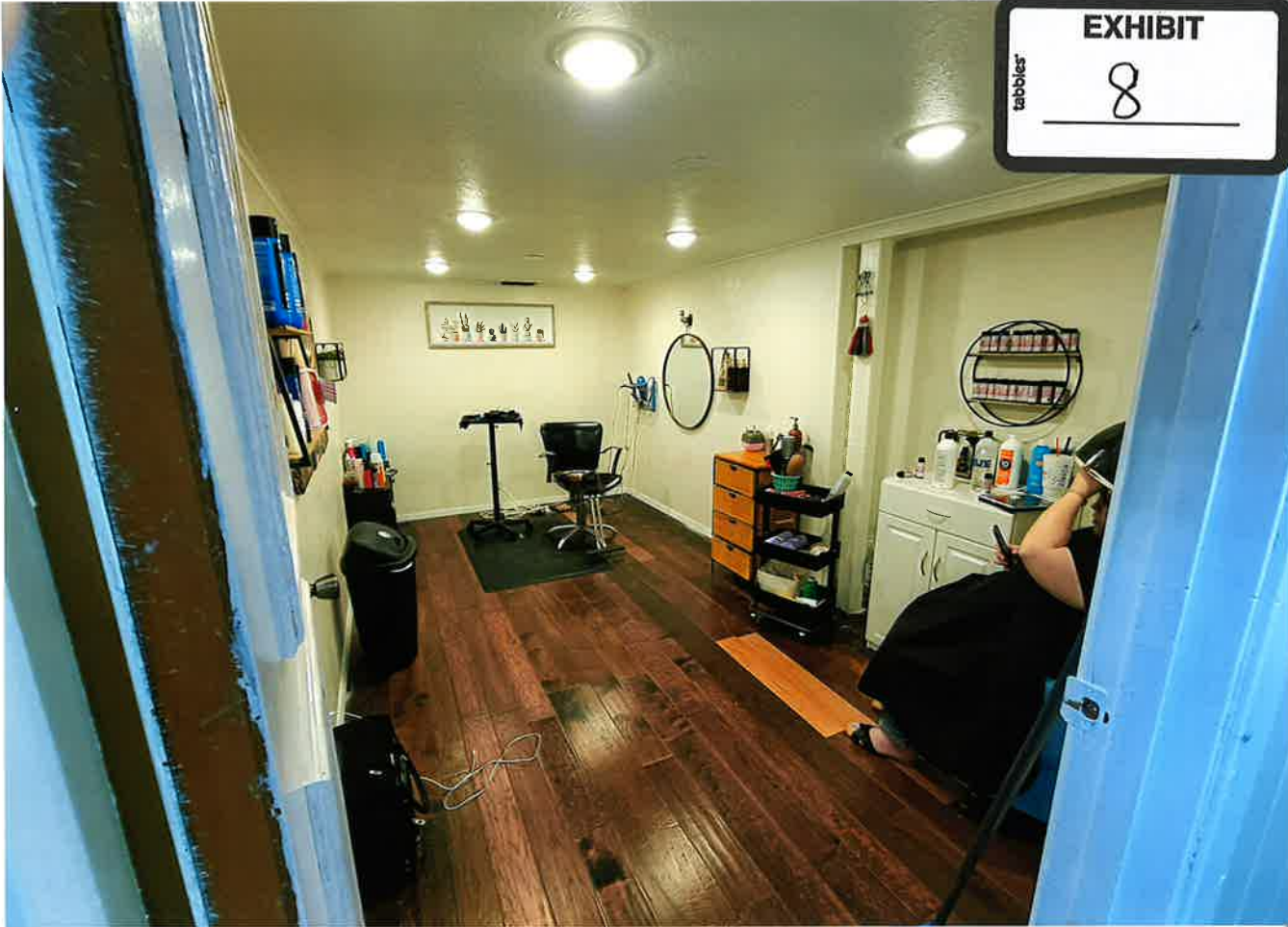


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EXHIBIT
7

Item 3.



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EXHIBIT
8



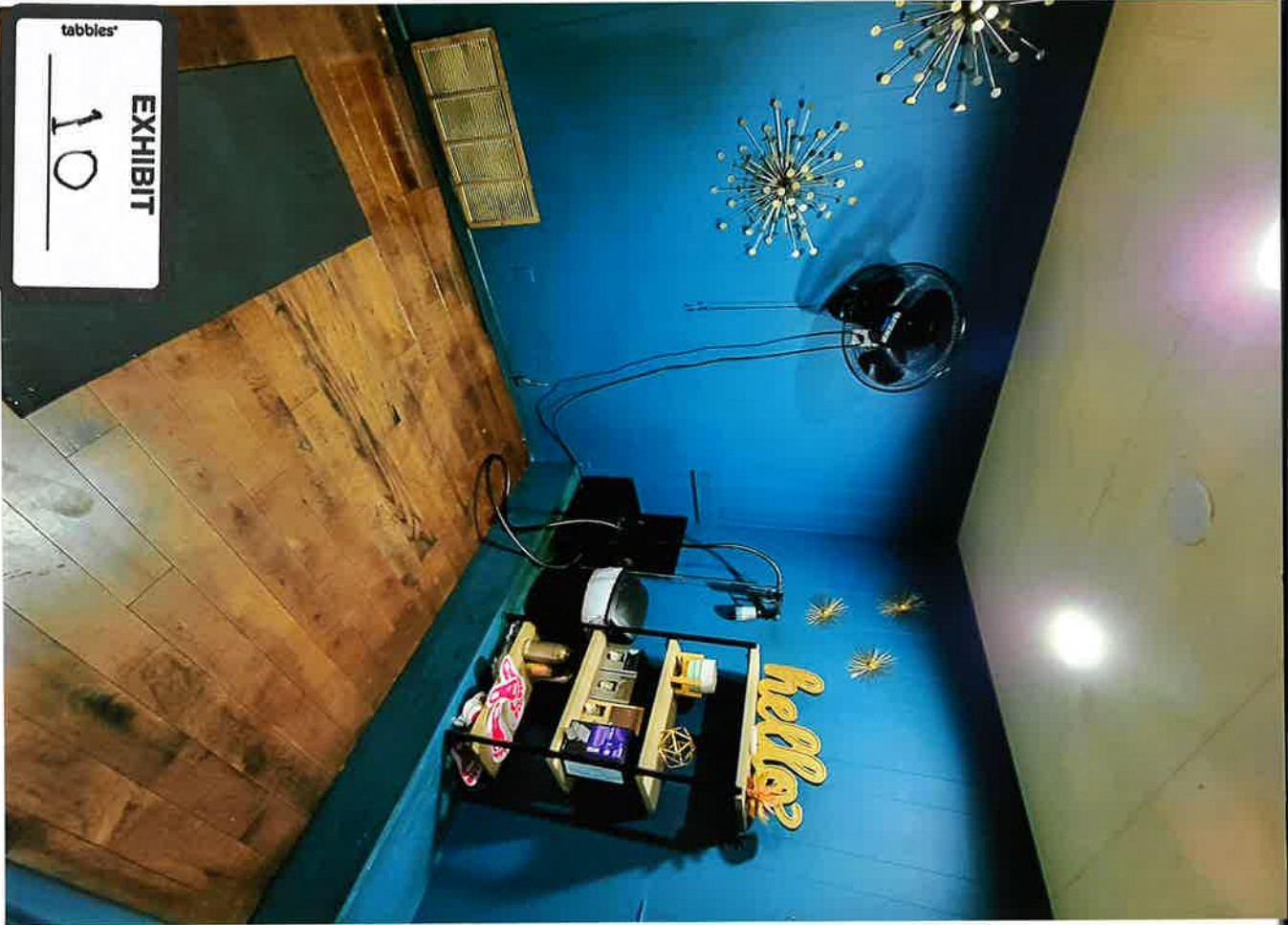
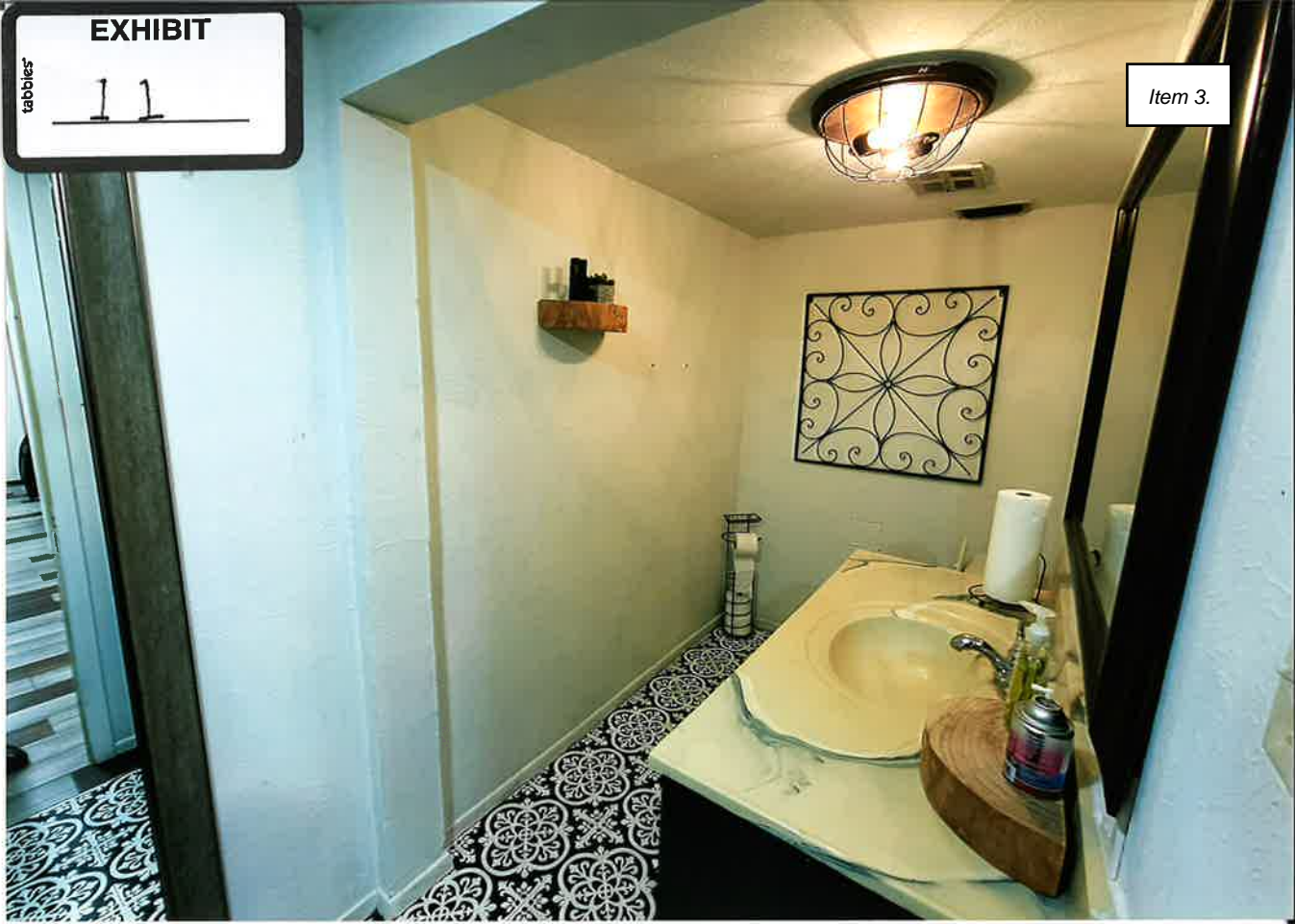


EXHIBIT
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Item 3.

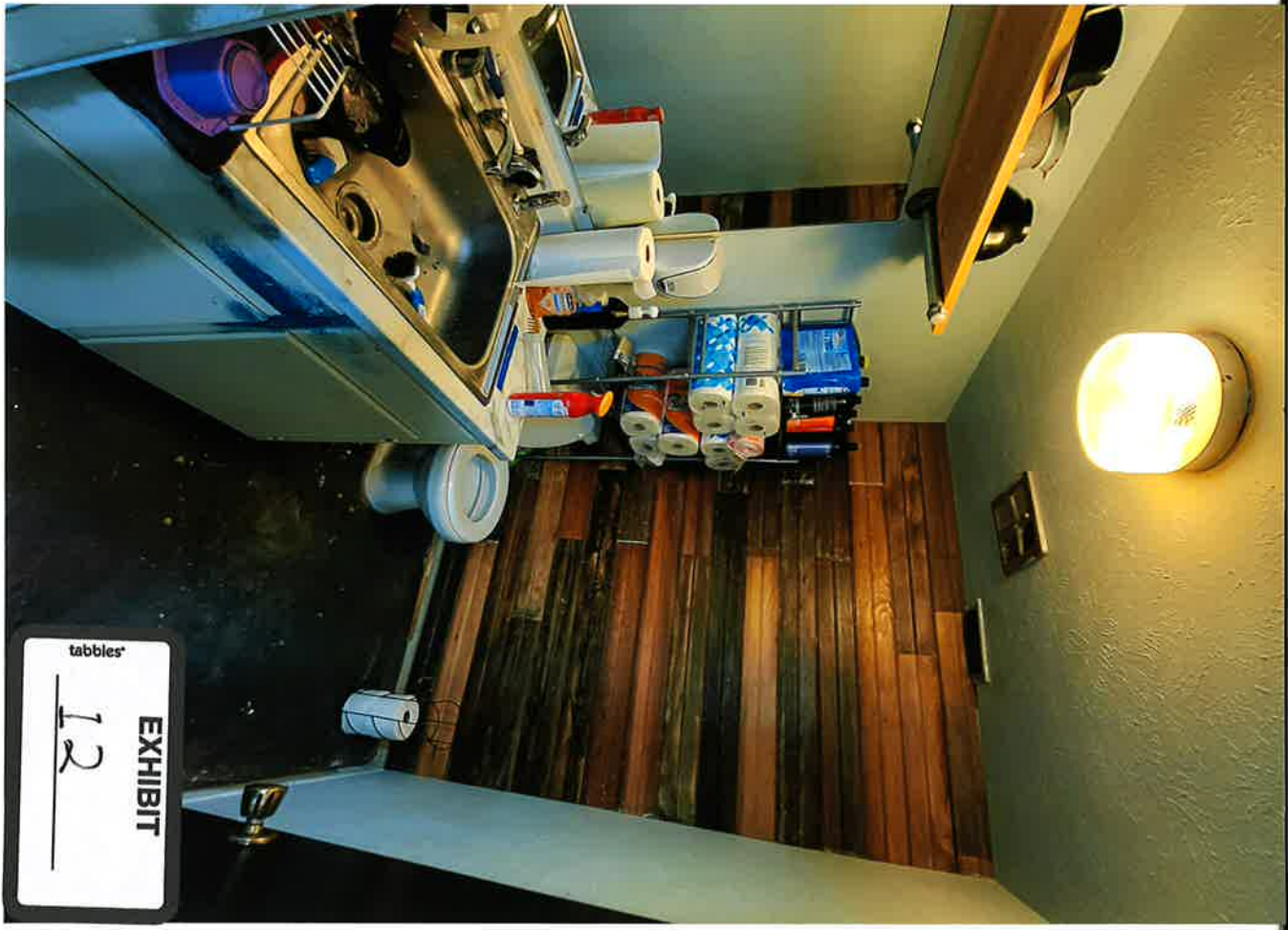
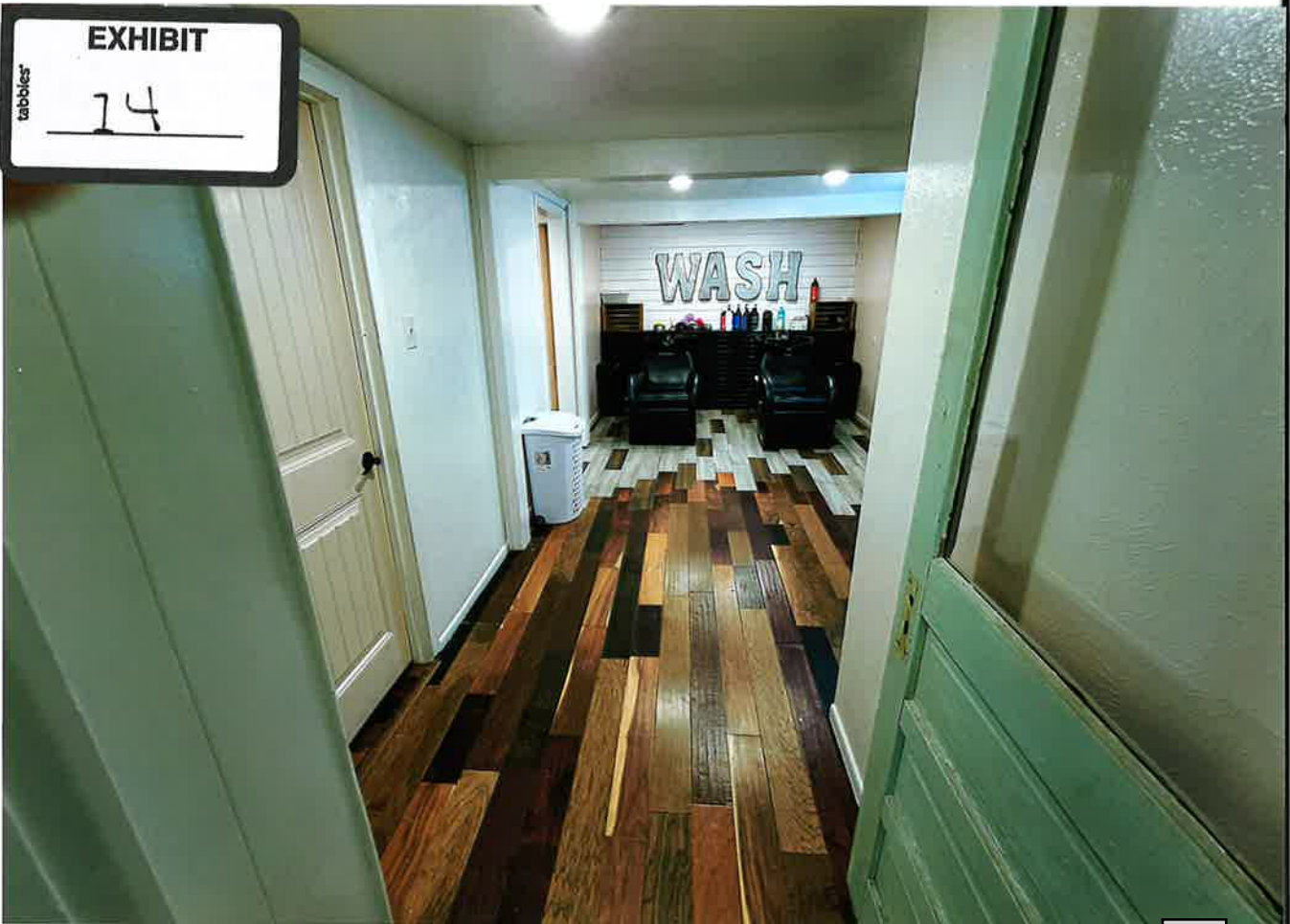
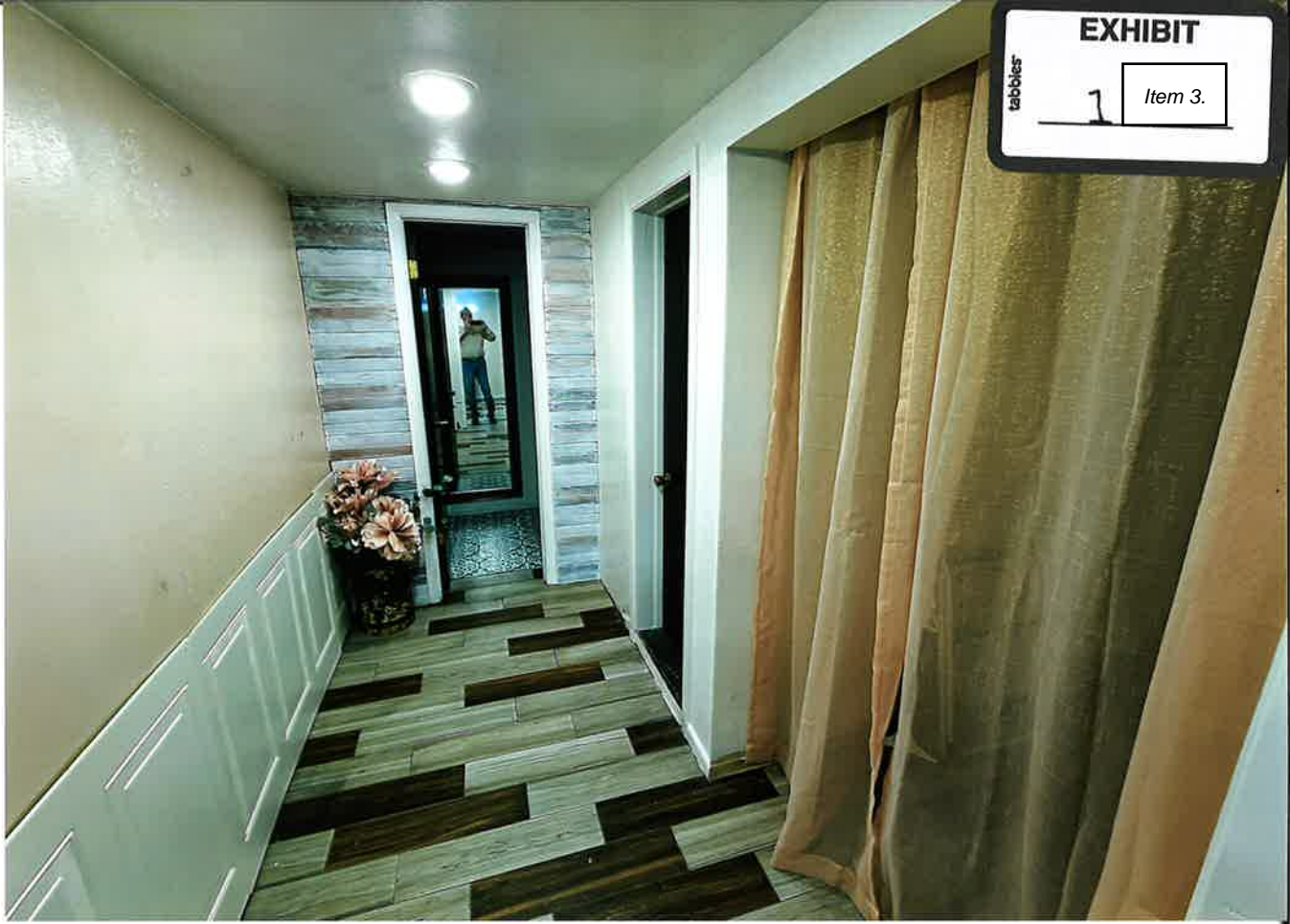
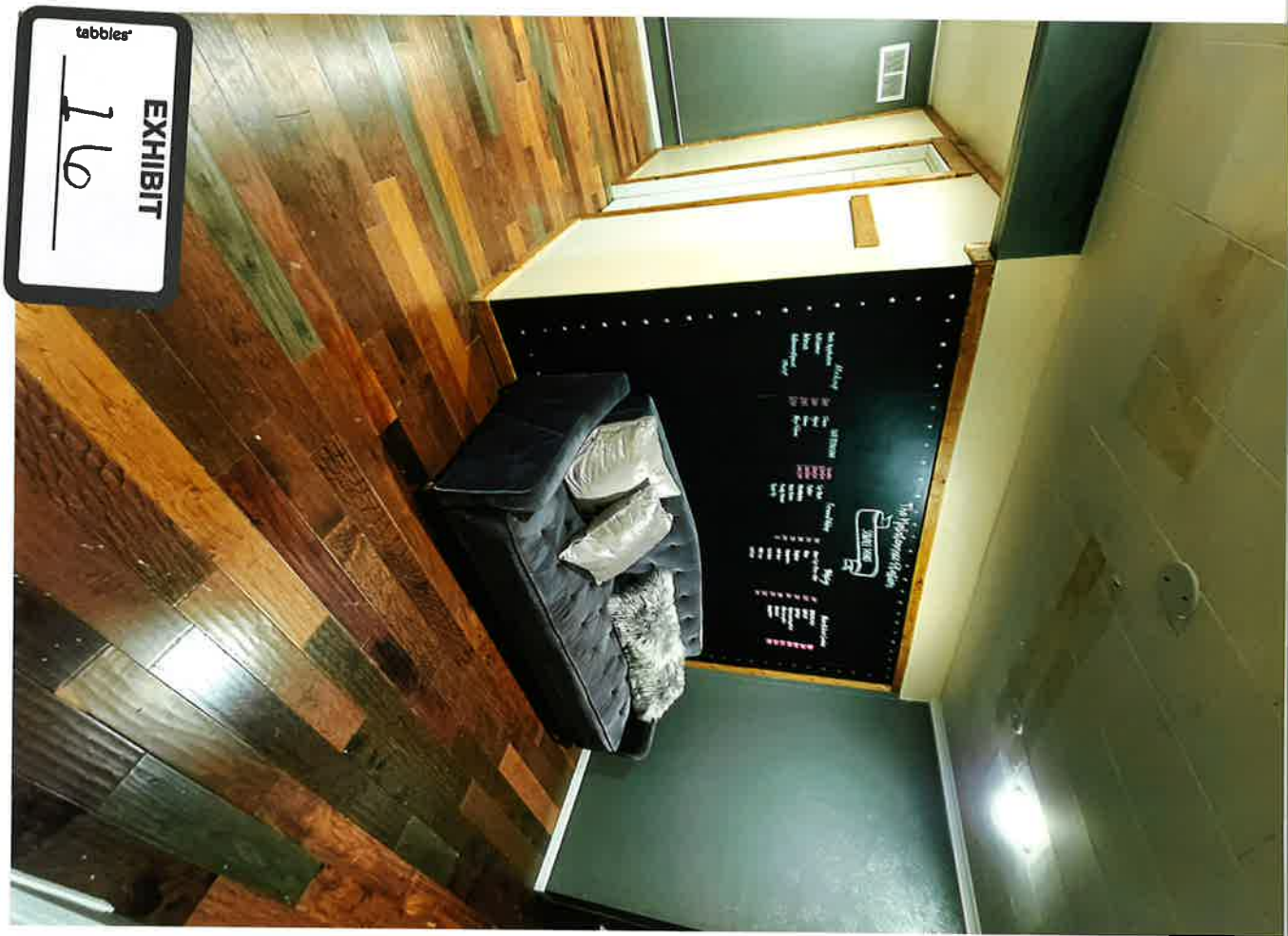


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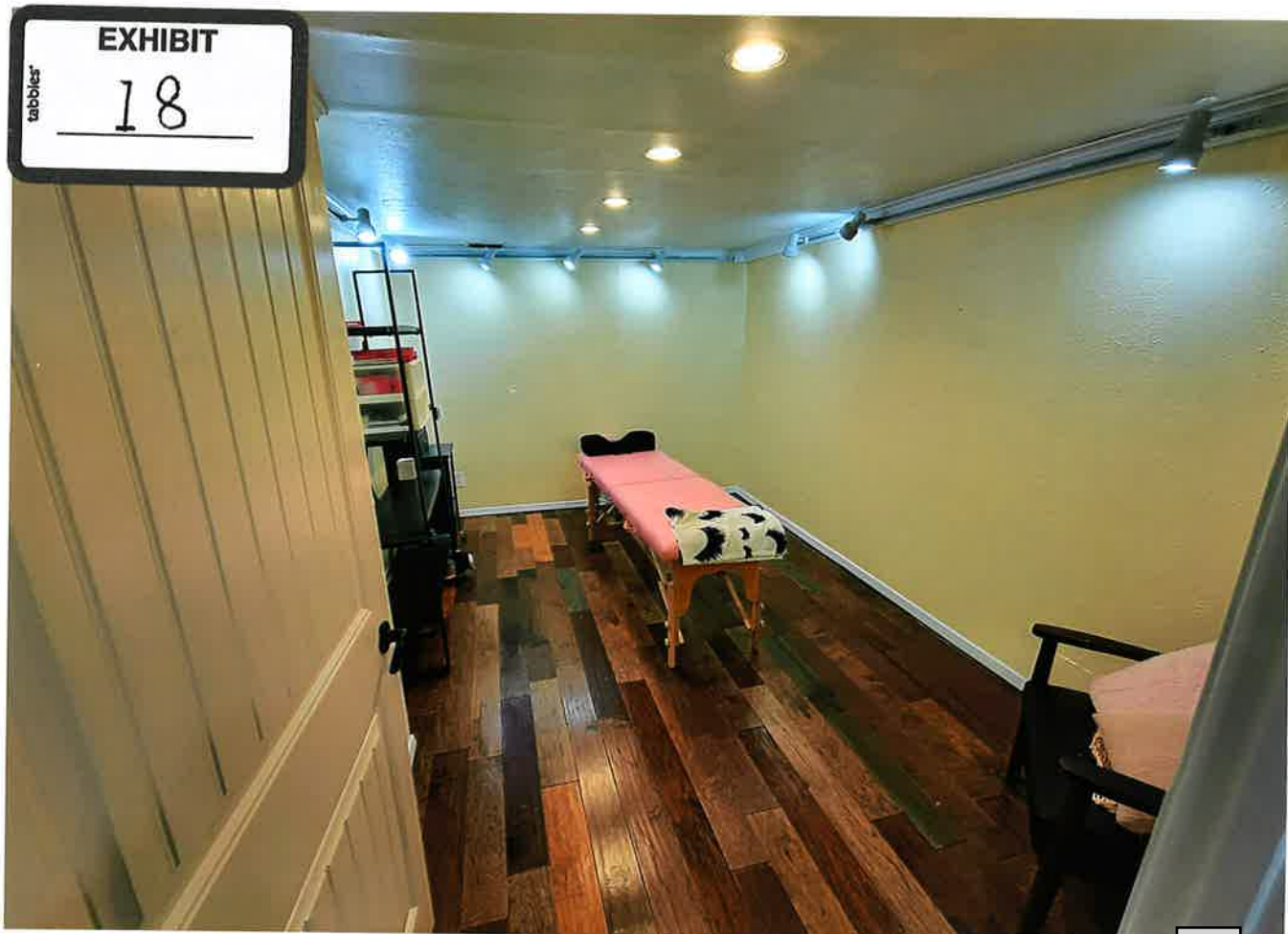


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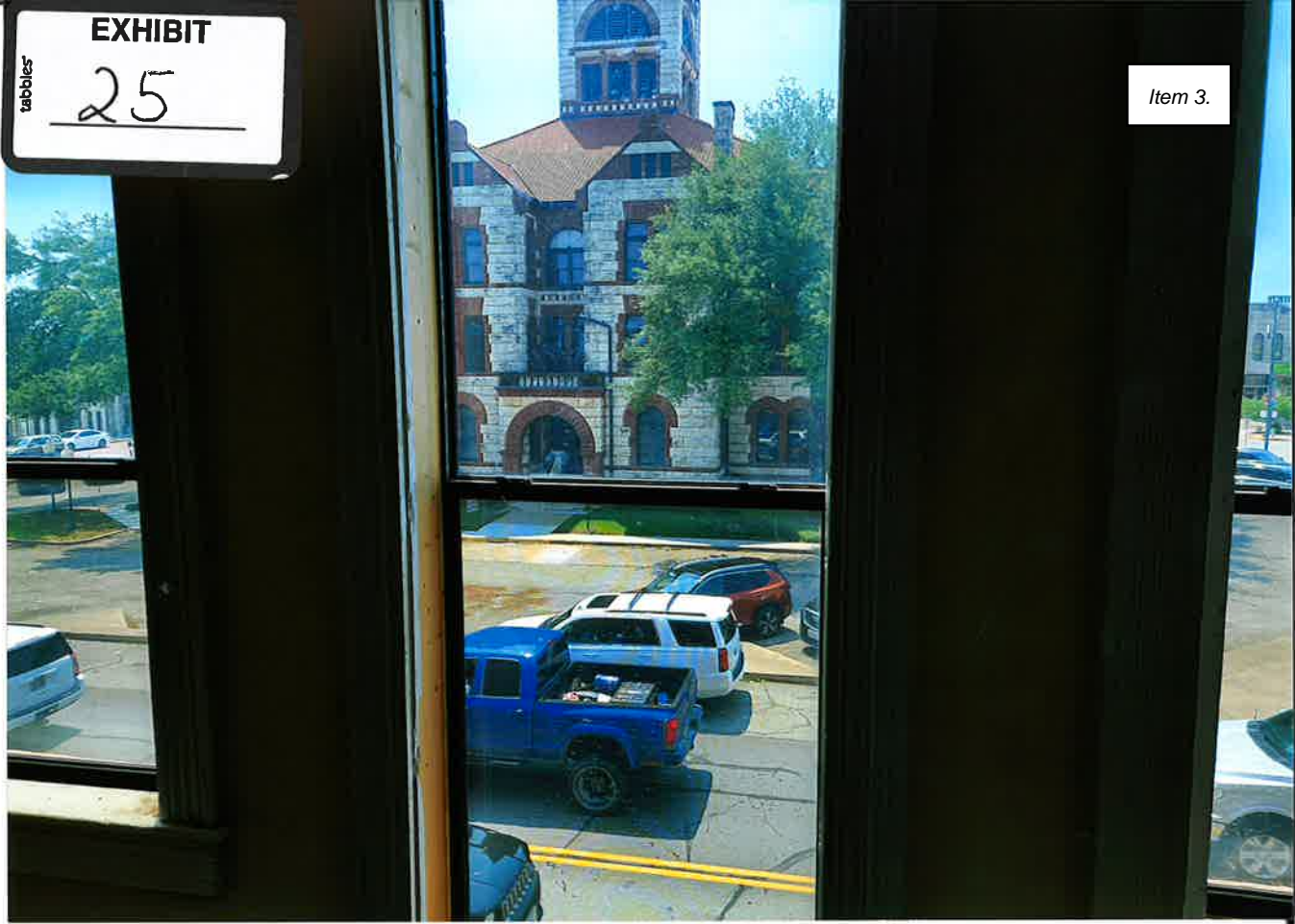
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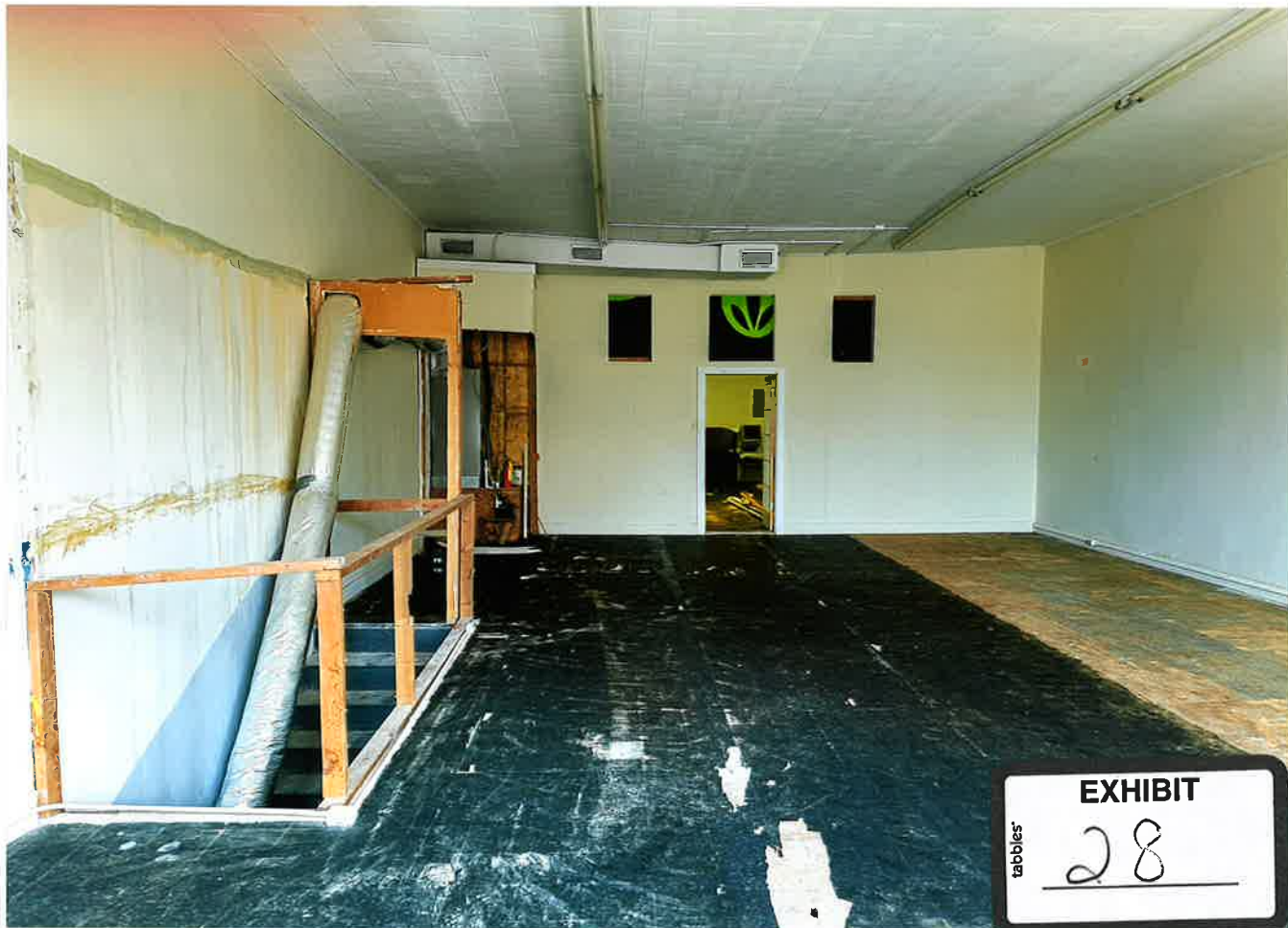
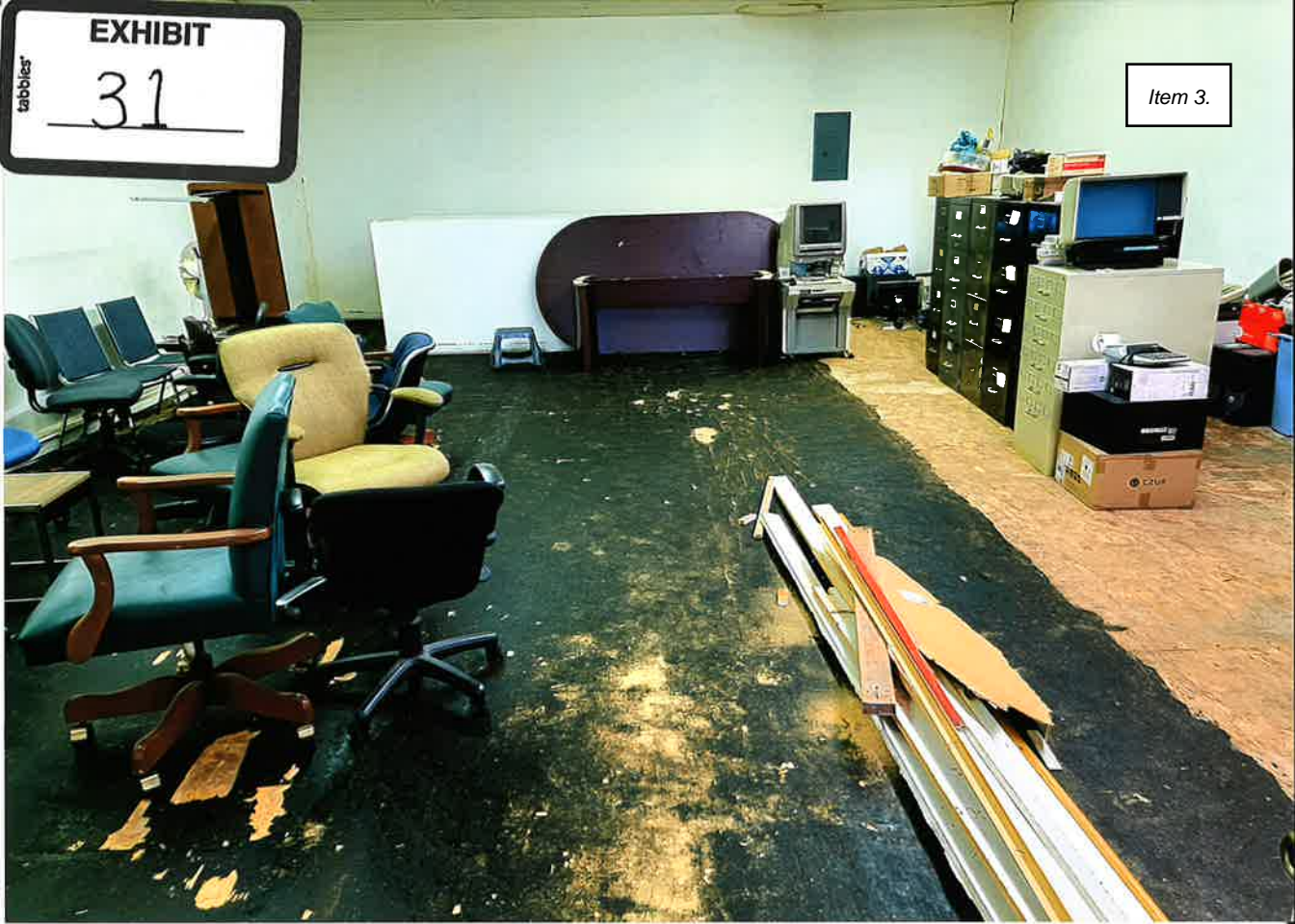


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STAFF REPORT

SUBJECT: Case No.: PD2022-004

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone of property located at 171 W. Washington, Parcel R29178, being Block 5, Lot B of City Addition to the City of Stephenville, Erath County, Texas, from (DT) Downtown to (PD) Planned Development.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

A conceptual plan for the proposed Planned Development District was presented at the May 18, 2022 meeting. The applicant is now requesting approval of the rezone and development plan.

BACKGROUND:

PROPERTY PROFILE:



STAFF NOTES:

1. The PD is requested for the DT zoning district due to a mixed use plan that will allow retail/office space on the first floor and duplex style units on the second floor.
2. The DT zoning district allows for both retail/office and residential uses, but, does not specify mixed use as a permitted use.
3. The request has generated expressed concerns in regards to parking. The DT zoning district requires two parking spaces per unit for residential use. Commercial uses in the DT zoning district are exempt from parking requirements.
4. Dumpster enclosure requirements should be considered in regards to the PD request.
5. Landscape requirements should be considered in regards to the PD request.

Sec. 154.06.7. Downtown district (DT).

6.7.A Description. The Downtown District is intended to encourage the redevelopment of the original township, which includes the historic courthouse, offices, retail business and residences. The varying land uses included in the Downtown District are compatible with existing uses to preserve the integrity of the area Downtown District and deter urban deterioration. This district also facilitates the maintenance of the area and provides for the vibrant interaction between retail, service, residential, government and public use.

6.7.B Permitted Uses.

- (1) Banks or other financial institutions;
- (2) Bed and breakfast/boarding house;
- (3) Bicycle sales and rental;
- (4) Book and card/gift stores;
- (5) Church, temple or mosque;
- (6) Civic or community center;
- (7) Clinic;
- (8) Commercial parking garage/lot;
- (9) Condominium (four or less units);
- (10) Convenience/grocery store (without pumps);
- (11) Day spa;
- (12) Florist;
- (13) Fraternal organization, lodge or civic club;
- (14) Health club, weight and aerobic center;
- (15) Home occupation;
- (16) Hotels and motels;
- (17) Library;
- (18) Micro brewery/winery (retail sales)—without drive-in service;
- (19) Municipal facilities/state facilities/federal facilities;
- (20) Museums and galleries;
- (21) Office—professional and general administration;
- (22) Personal service shop (beauty/barber shop);
- (23) Restaurant or cafeteria—without drive-in service;
- (24) Restaurant with alcoholic beverage service;
- (25) Retail shops;
- (26) Sale of alcohol as licensed by the Texas Alcoholic Beverage Commission;
- (27) Single family dwelling;
- (28) Studio for photographer, musician, artist;
- (29) Tattoo parlor;
- (30) Theater-indoor;
- (31) Townhouse (four or less units);
- (32) Travel agencies; and
- (33) Two-four family dwelling.

6.7.C Conditional Uses (Special Use Permit required).

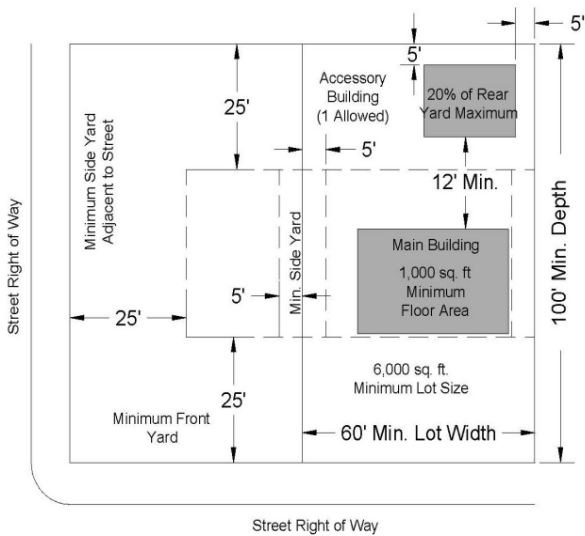
- (1) Restaurant (drive-in type);
- (2) Micro brewery/winery (distribution);
- (3) Tobacco shop;
- (4) Reserved.

6.7.D Height, Area, Yard and Lot Coverage Requirements.

(A) *Single family dwelling.*

- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 6,000 ft².
- (3) Minimum lot width and lot frontage: 60 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

6.7.D Height, Area, Yard and Lot Coverage Requirements Single-Family Dwelling



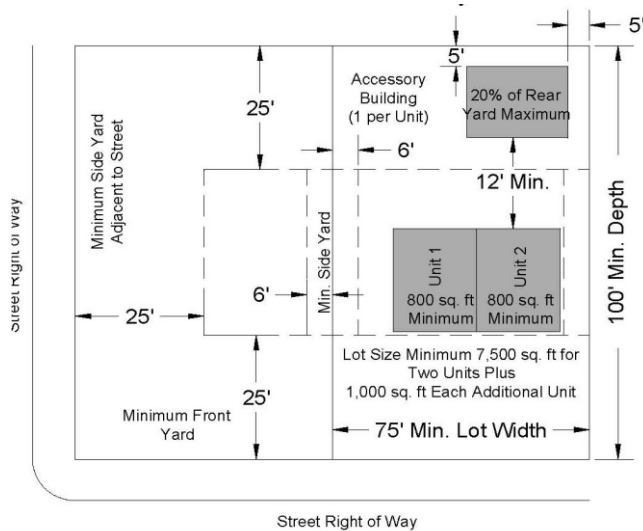
6.7.E Parking Regulations. A Single-Family, DT District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 11 the Parking Regulations.

(B) *Two-four family dwelling.*

- (1) Maximum density: four family unit per lot.
- (2) Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² for each additional dwelling unit.
- (3) Minimum lot width and lot frontage: 75 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: six feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of each dwelling unit: 800 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples, and mosques may not exceed 75 feet, if the building is

set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

6.7.D Height, Area, Yard and Lot Coverage Requirements Two-Four Family Dwellings



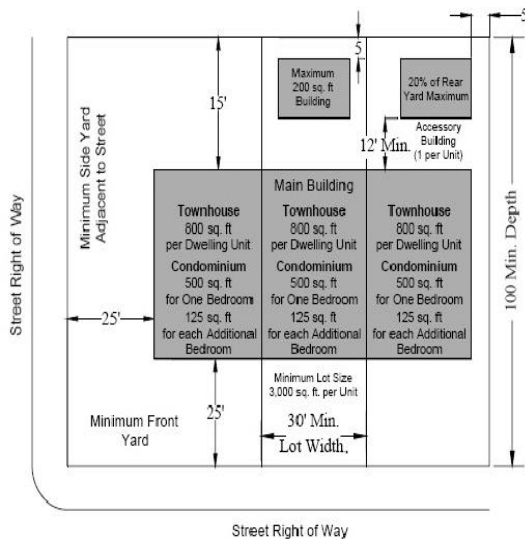
A Two-Four-Family, DT District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations.

(C) *Townhouse/Condominium.*

- (1) Maximum density: four family unit per lot
- (2) Minimum lot area: 3,000 ft² per unit.
- (3) Minimum average lot width and lot frontage: 30 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum width of rear setback: 15 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%
 - (b) Minimum area of each townhouse dwelling unit: 800 ft².
 - (c) Minimum area of each condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) Minimum depth from the edge of the main building: 12 feet.

- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

6.7.D Height, Area, Yard and Lot Coverage Requirements Townhouse/Condominium

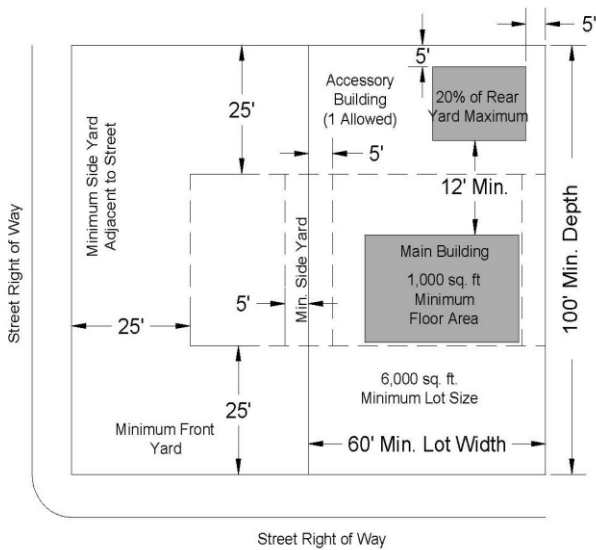


A Townhouse/Condominium, DT District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations.

(D) All other uses.

- (1) Maximum density: There is no maximum density requirement.
- (2) Minimum lot area: There is no minimum area requirement.
- (3) Minimum lot width: There is no minimum width requirement.
- (4) Minimum lot depth: There is no minimum depth requirement.
- (5) Minimum depth of front setback: There is no front setback requirement.
- (6) Minimum depth of rear setback: There is no minimum rear setback requirement unless the lot abuts upon a Residential District, then a minimum ten feet is required.
- (7) Minimum width of side setback:
 - (a) Internal lot: There is no minimum side setback requirement unless the lot abuts upon a Residential District, then a minimum five feet is required.
 - (b) Corner lot: There is no setback requirement.
- (8) Building size: there are no minimum size regulations.
- (9) Maximum height of structures: No building shall exceed 75 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Height, Area, Yard and Lot Coverage Requirements

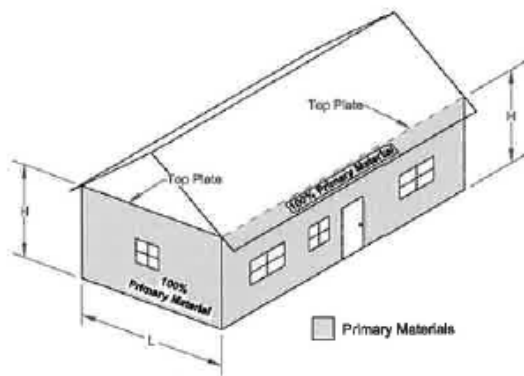


Note: No rear or side yard except when the lot abuts upon a Residential District, then the minimum setback for rear yard is ten feet and side yard is five feet.

6.7.F Type of Construction.

- (1) The exterior facade of all structures visible from a public street shall be of an architectural exterior finish similar to the surrounding structures within the District, exclusive of door and window openings.
- (2) Exterior siding and trim coloring shall be compatible to the surrounding structures in the District.
- (3) Exterior metal facades are prohibited in the DT "Downtown District."
- (4) The exterior walls of all new dwellings to the top plate, shall be constructed exclusively of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (5) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (6) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.

Exterior Building Material Standards

**NEW CONSTRUCTION**

Total Exterior Wall shall equal,
100% of Primary Materials.
(Windows & Doors are excluded)

EXISTING STRUCTURES

1. Expanding or modifying the footage of the building 50% or less, may use the same exterior material as the existing primary building. If not available, approval is needed from the Community Development Director.
2. Expanding or modifying the footage of the building 50% or more, must use 100% Primary Materials of the exterior wall.
3. Windows and Doors are excluded.

6.7.G Miscellaneous Provisions. Wherever a commercial use adjoins a Residential District and is not separated by a street, a six-foot or taller solid sight-barring fence or landscape barrier will be constructed and maintained along the boundary or property line as permanent screening. All outside lighting features will be placed and reflected so as to not create annoyances, nuisances or hazards.

6.7.H Parking Regulations. See Section 11 Parking Regulations.

6.7.I Sign Regulation. See Section 12 for Sign Regulations.

6.7.J Exceptions to Use, Height and Area Regulations. See Section 10.

6.7.K Garbage Regulations.

- (1) Downtown District will provide a serviceable area specifically for refuse collection designed for refuse canisters. Each designated canister area will be nine feet wide and eight feet deep (72 square feet), with a cement slab base. If the location of the cement slab is adjacent to a Residential District, the slab must be at least five feet from the property line. The refuse area will be enclosed on three sides by a privacy fence. Approach areas will meet the requirements of Subsection 6.7.L.
- (2) Containers, polycarts, receptacles and any other unacceptable waste or recyclables, shall be removed from the curb or other designated collection point by the customer no later than 7:00 a.m. on the day following their scheduled collection day. Each designated area shall be four feet wide and four feet deep (16 square feet), impervious slab. The refuse area will be completely screened by a privacy fence or landscaping.

6.7.L Loading and Unloading Regulations.

- (1) All loading, unloading and maneuvering of vehicles connected with the activity on the premises, must be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced.
- (2) All loading, unloading and maneuvering of vehicles connected with the activity on city streets, must be loaded and unloaded between the hours of 12:00 a.m. (midnight) to 11:00 a.m. The activity must not impede public traffic on city streets.

6.7.M Sidewalk. Property with new construction and/or residential use changing to a commercial use, shall construct a sidewalk along the city right(s)-of-way in accordance with Subdivision Ordinance design standards.

(Ord. 2011-05, passed 4-5-2011; Am. Ord. 2011-26, passed 12-6-2011; Am. Ord. 2014-03, passed 2-4-2014; Am. Ord. 2014-05, passed 3-4-2014; Am. Ord. No. 2018-O-25 , § 1, 8-7-2018; Ord. No. 2021-O-17 , §§ 1, 6, passed 6-1-2021; Ord. No. 2021-O-32 , § 1, passed 8-3-2021)

Sec. 154.08. Planned development district (PD).

8.A Description.

- (1) Planned development districts are designed for greater flexibility and discretion in the application of residential and non-residential zoning and for increased compatibility and the more effective mitigation of potentially adverse impacts on adjacent land than in possible under standard district regulations. It is recognized that it is desirable for certain areas of the city to be developed in accordance with development plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.
- (2) Improvements in a "PD" District are subject to conformance with a development plan approved by the City Council on Planning and Zoning Commission recommendation and after public hearing thereon. No development plan may increase gross density in excess of that allowed by the base district.

8.B Permitted Uses. In a PD Development District, no land shall be used and no building shall be installed, erected for/or converted to any use other than a hereinafter provided.

NON-RESIDENTIAL PLANNED DEVELOPMENTS. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Non-residential uses are situated such that an appreciable amount of land is available for open space or joint use as parking space and is integrated throughout the planned development;
- (3) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (4) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional non-residential projects; and
- (5) The project provides a compatible transition between adjacent existing single-family residential projects and provides a compatible transition for the extension of future single-family projects into adjacent undeveloped areas.

RESIDENTIAL PLANNED DEVELOPMENT. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Dwelling units are situated such that an appreciable amount of land for open space is available and is integrated throughout the planned development;
- (3) The project utilizes an innovative approach in lot configuration and mixture of single-family housing types;
- (4) Higher densities than conventional single-family projects of the same acreage is achievable with appropriate buffering between existing conventional single-family developments and increased open space;
- (5) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;

- (6) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional single-family projects; and
- (7) The project provides a compatible transition between adjacent existing conventional single-family residential projects and provides a compatible transition for the extension of future conventional single-family projects into adjacent undeveloped areas.

8.C Prohibited Uses.

- (1) Any building erected or land used for other than the use shown on the Planned Development Site Plan, as approved by the City Council.
- (2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimensions; and/or lot width, or exceeds the maximum height, building coverage or density per gross acreage as shown in the development's recorded Planned Development Site Plan, as approved by City Council.
- (3) Any use deemed by the City Council as being detrimental to the health, safety or general welfare of the citizens of Stephenville.

8.D Ownership. An application for approval of a Planned Development Plan under the Planned Development District regulations may be filed by a person having legal ownership of the property to be included in the Development Plan. In order to ensure unified planning and development of the property, the applicant shall provide evidence, in form satisfactory to the City Attorney, prior to final approval of the Development Plan, that the property is held in single ownership or is under single control. Land shall be deemed to be held in single ownership or under single control if it is in joint tenancy, tenancy in common, a partnership, a trust or a joint venture. The Development Plan shall be filed in the name(s) of the record owner(s) of the property, which shall be included in the application. CITY ATTORNEY ACCEPTED PROOF OF OWNERSHIP.

8.E Development Schedule.

- (1) An application for a Planned Development District shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, adopted and approved by the City Council, shall become part of the Planned Development Ordinance and shall be adhered to by the owner, developer and their assigns or successors in interest. INCLUDED WITH SUBMITTAL.
- (2) Annually, upon the anniversary date, or more frequently if required, the developer shall provide a written report to the Planning and Zoning Commission concerning the actual development accomplished as compared with the development schedule.
- (3) The Planning and Zoning Commission may, if in its opinion the owner or owners of the property are failing or have failed to meet the approved development schedule, initiate proceedings to amend the Official Zoning map or the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. After the recommendation of the Planning and Zoning commission and for good cause shown by the owner and developer, the City Council may extend the development schedule as may be indicated by the facts and conditions of the case.

8.F Plat Requirements. No application for a building permit for the construction of a building or structure shall be approved unless a plat, meeting all requirements of the City of Stephenville has been approved by the City Council and recorded in the official records of Erath County.

8.G Concept Plan. The applicant for any PD Planned Development shall submit a concept plan to the Planning and Zoning Commission for review prior to submitting a Development Plan. The concept plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

8.H Development Plan Approval Required. No building permit or certificate of occupancy shall be issued and no use of land, buildings or structures shall be made in the "PD" District until the same has been approved as part of a development plan in compliance with the procedures, terms and conditions of this section of the ordinance.

8.I Approval Procedures.

- (1) An application for development plan approval shall be filed with the Director of Community Development accompanied by a development plan.
- (2) The procedures for hearing a request for a zoning change to "PD" shall be the same as for a requested change to any other district as set forth Section 20 of the Zoning Ordinance.
- (3) Any substantive revision to a development plan between the public hearing before the Planning and Zoning Commission and the public hearing before the City Council shall necessitate the development plan being referred back to the Planning and Zoning Commission for review and evaluation unless the revision constitutes a minor change as provided below, or the change was condition of the approval.
- (4) Any revisions to the development plan after the public hearing before the City Council shall be submitted to the Director of Community Development for distribution, review and written evaluation by city staff prior to submission to and approved by the City Council.
- (5) Minor changes to an approved development plan, which will not cause any of the following circumstances to occur, may be authorized by the Director of Community Development or his or her designee:
 - (a) A change in the character of the development;
 - (b) An increase in the gross floor areas in structures;
 - (c) An increase in the intensity of use;
 - (d) A reduction in the originally approved separations between buildings;
 - (e) Any adverse changes in traffic circulation, safety, drainage and utilities;
 - (f) Any adverse changes in such external effects on adjacent property as noise, heat, light, glare, vibration, height scale or proximity;
 - (g) A reduction in the originally approved setbacks from property lines;
 - (h) An increase in ground coverage by structures;
 - (i) A reduction in the ratio of off-street parking and loading space; and
 - (j) A change in the size, height, lighting or orientation of originally approved signs.
- (6) The decision of the Director of Community Development or his or her designee as to whether minor changes are being requested may be appealed to the Planning and Zoning Commission. Any change deemed not to be minor change, as indicated above, shall be processed as a new application in accordance with the provisions of this section and Section 20.1 of the Zoning Ordinance.

8.J Development Plan Requirements. The development plan submitted in support of a request for development plan approval shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities and what protection features are included to insure that the development will be compatible with existing and allowable development on adjacent property. The development plan shall show at least the following items of information:

- (1) The location of all existing and planned non-single-family structures on the subject property;
- (2) Landscaping lighting and/or fencing and/or screening of common areas;

- (3) General locations of existing tree clusters, providing average size and number and indication of species;
- (4) Location and detail of perimeter fencing if applicable;
- (5) General description/location of ingress and egress with description of special pavement treatment if proposed;
- (6) Off-street parking and loading facilities, and calculations showing how the quantities were obtained for all non single-family purposes;
- (7) Height of all non-single-family structures;
- (8) Proposed uses;
- (9) Location and description of subdivision signage and landscaping at entrance areas;
- (10) Street names on proposed streets;
- (11) Proposed minimum area regulations including, set-backs, lot-sizes, widths, depths, side-yards, square footage or residential structures;
- (12) Indication of all development phasing and platting limits; and
- (13) Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.

8.K Conditions for Development Plan Approval.

- (1) A development plan shall be approved only if all of the following conditions have been found during the review and process:
 - (a) That the uses will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values with the immediate vicinity;
 - (b) That the establishment of the use or uses will not impede the normal and orderly development and improvements of surrounding vacant property;
 - (c) That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
 - (d) That the design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
 - (e) That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
 - (f) That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- (2) In approving a development plan, the City Council may impose additional conditions necessary to protect the public interest and welfare of the community.

8.L Additional Conditions. Every Planned Development District approved under the provisions of this Ordinance shall be considered as an amendment to the Ordinance as applicable to the property involved. In an approved Planned Development District, the City Council may impose conditions relative to the standard of development, and such conditions shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the Planned Development District; and such condition shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be constructed as conditions precedent to the granting of a certificate of occupancy.

8.M Revocation.

- (1) Approval of a development plan may be revoked or modified, after notice and hearing, for either of the following reasons:
 - (a) Approval was obtained or extended by fraud or deception; or
 - (b) That one or more of the conditions imposed by the City Council on the development plan has not been met or has been violated.
- (2) Development controls:
 - (a) The City Council may impose more restrictive requirements than those proposed in the development plan in order to minimize incompatibilities;
 - (b) A "PD" District shall have a minimum lot area of not less than one acre under unified control;
 - (c) The parking requirements of the Zoning Ordinance shall apply to all uses in the "PD" District unless otherwise specified on the development plan; and
 - (d) "PD" provisions may vary setbacks with approval.

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

- 1) Recommend the City Council approve the rezone request to planned development.
- 2) Recommend the City Council deny the rezone request to planned development.

Parcel R29178 200 Ft Buffer



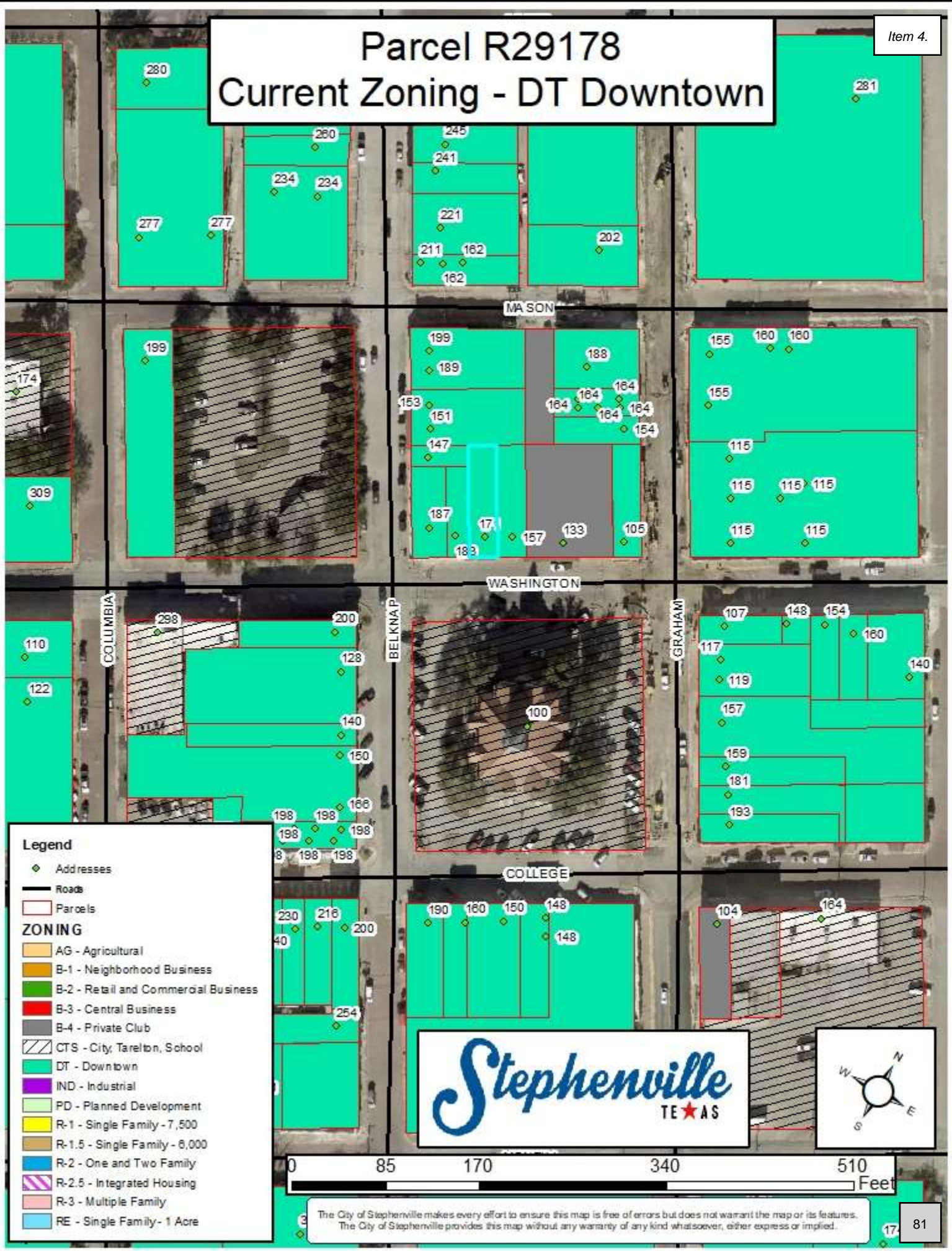
Legend

- ◆ Addresses
- Roads
- 200 ft buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29178 Current Zoning - DT Downtown



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

ZONING

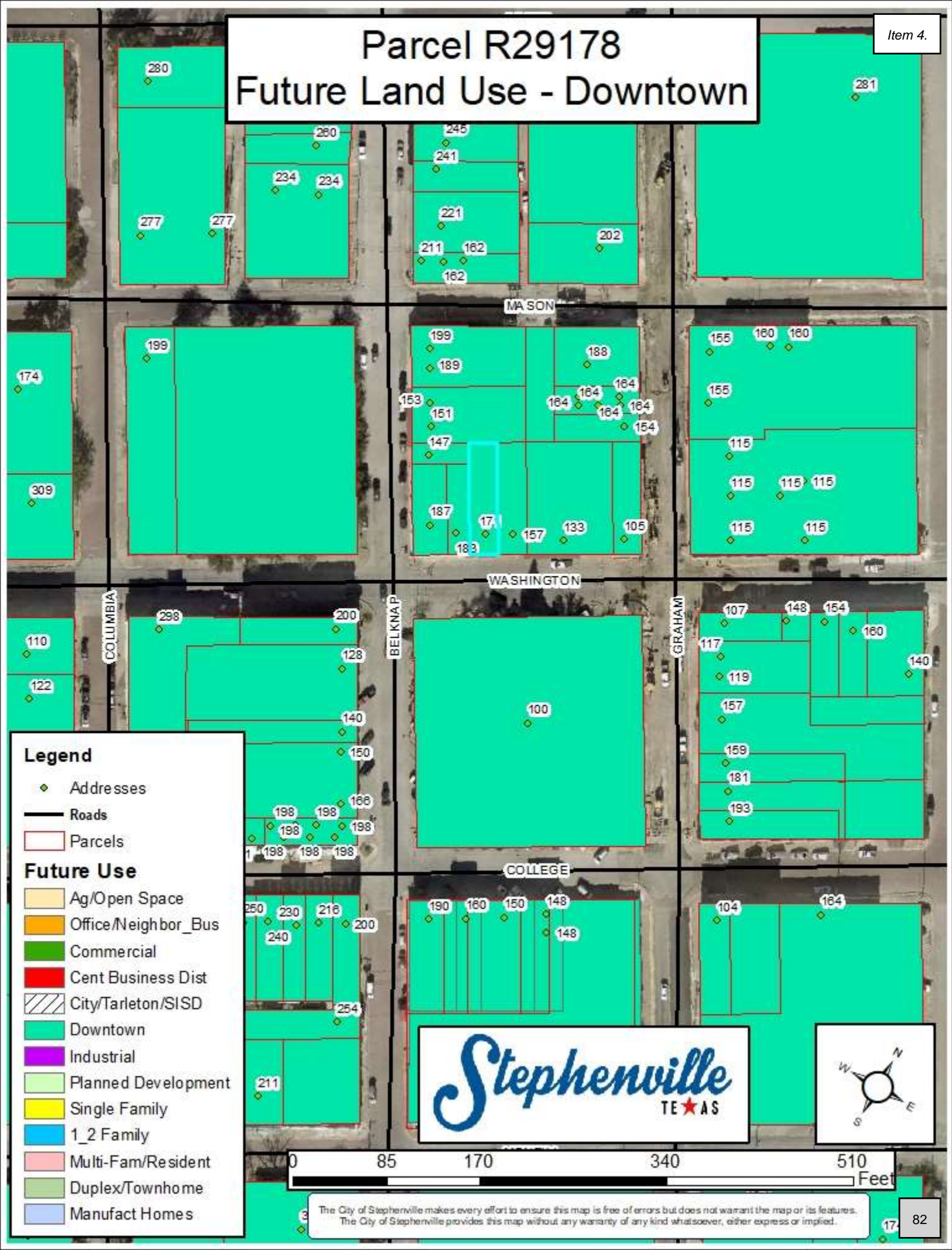
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

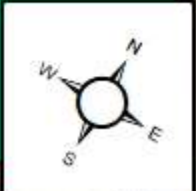
Parcel R29178 Future Land Use - Downtown

Item 4.



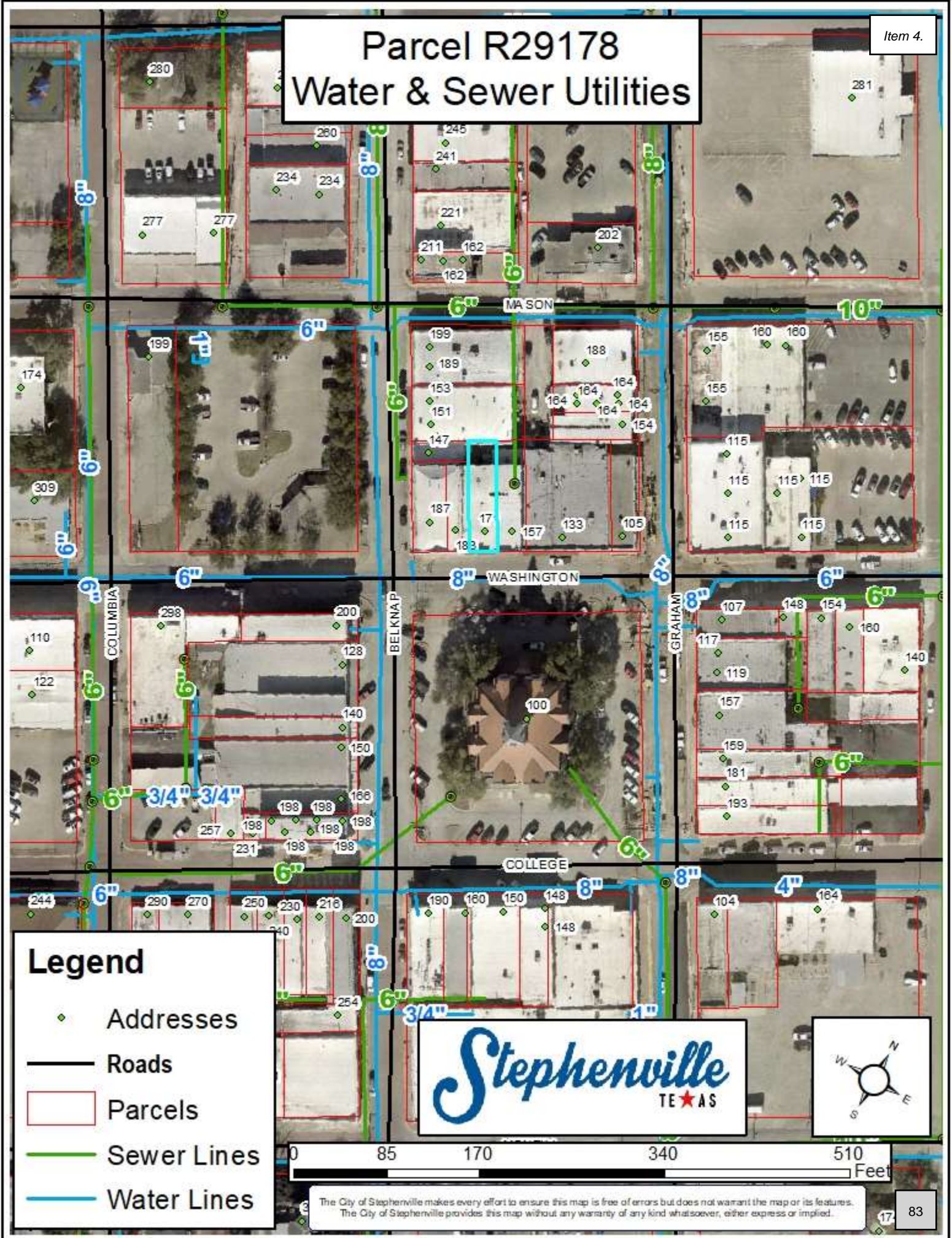
Legend

- ◆ Addresses
 - Roads
 - ▭ Parcels
- ### Future Use
- Ag/Open Space
 - Office/Neighbor_Bus
 - Commercial
 - Cent Business Dist
 - City/Tarleton/SISD
 - Downtown
 - Industrial
 - Planned Development
 - Single Family
 - 1_2 Family
 - Multi-Fam/Resident
 - Duplex/Townhome
 - Manufact Homes



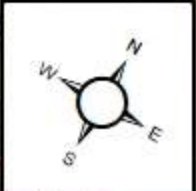
The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29178 Water & Sewer Utilities



Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29178 Address List

Item 4.

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|------------------|--|----------------------------|--------------|-------|------------|
| R000029175 | 115 N GRAHAM | BMF PROPERTIES LLC | 115 N GRAHAM ST #202 | STEPHENVILLE | TX | 76401 |
| R000029189 | 153 N BELKNAP | BURDICK RENEE W | 702 PRAIRIE WIND | STEPHENVILLE | TX | 76401 |
| R000029183 | 105 W WASHINGTON | BUTCHER ALLAN K JR | PO BOX 690394 | SAN ANTONIO | TX | 78269-0394 |
| R000029181 | 133 W WASHINGTON | CAFE TRIFLES INC | 133 W WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000029187 | 0 MASON | CAFE TRIFLES INC | 133 W WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000029191 | 200 MASON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029202 | 200 W WASHINGTON | CJW PARTNERS LLC | PO BOX 909 | STEPHENVILLE | TX | 76401 |
| R000029168 | 119 S GRAHAM | COATS JIM & PATSY | 1187 AZALEA LN | STEPHENVILLE | TX | 76401-0000 |
| R000029201 | 128 S BELKNAP | COATS JIM & PATSY | 1187 AZALEA LN | STEPHENVILLE | TX | 76401-0000 |
| R000029190 | 147 N BELKNAP | DOUBLE W INVESTMENTS LLC | 6440 N. CENTRAL EXPRESSWAY | DALLAS | TX | 75206 |
| R000029150 | 100 W WASHINGTON | ERATH COUNTY | 100 W WASHINGTON | STEPHENVILLE | TX | 76401-0000 |
| R000029199 | 150 S BELKNAP | EVATT INVESTMENTS | 1425 PECAN HILL RD | STEPHENVILLE | TX | 76401-9656 |
| R000029252 | 211 N BELKNAP | J BAR F RENTALS LLC | 137 SANDRA PALMER | STEPHENVILLE | TX | 76401 |
| R000029188 | 199 N BELKNAP | K PENDRAY PROPERTIES LLC | 2345 CR177 | STEPHENVILLE | TX | 76401 |
| R000029262 | 202 N GRAHAM | KEUNG LEUNG YIP | 1607 AUSTIN AVE | BROWNWOOD | TX | 76801 |
| R000029263 | 234 N BELKNAP | KIRBO & STEWART LLC | PO BOX 2249 | BROWNWOOD | TX | 76804 |
| R000029169 | 107 S GRAHAM | SHAHAN DEDRA | 107 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029177 | 187 W WASHINGTON | STEPHENVILLE CHAMBER OF COMMERCE IN | PO BOX 306 | STEPHENVILLE | TX | 76401-0000 |
| R000043723 | 183 W WASHINGTON | STEPHENVILLE CHAMBER OF COMMERCE INC | 187 WEST WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000029176 | 155 N GRAHAM | STEPHENVILLE PROPERTIES LLC | 155 N GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029178 | 171 W WASHINGTON | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029179 | 157 W WASHINGTON | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029184 | 154 N GRAHAM | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029185 | 164 N GRAHAM | STEPHENVILLE RENTALS LLC & GEN-GRACE EQUITY LP | 181 SOUTH GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029186 | 188 N GRAHAM | TEXOR LLC | 3338 CR253 | STEPHENVILLE | TX | 76401 |
| R000029198 | 166 S BELKNAP | THEMIS INVESTMENT PROPERTIES LLC AND | 166 S BELKNAP | STEPHENVILLE | TX | 76401 |
| R000029253 | 221 N BELKNAP | WOOLEY GEORGE ALLEN & KATHRYN WARD | 221 BELKNAP | STEPHENVILLE | TX | 76401 |

**STEPHENVILLE RENTALS, LLC.
Site Development Projections
For 154 W. Washington and 171 W. Washington,
Stephenville, Texas 76401**

1. January 1, 2023

- Projected date of approval of plans and specifications for both 154 and 171 W. Washington projects from Texas Historical Commission and the National Park Service

Note: 154 W. Washington application has previously been approved but fire marshal requirement for sprinkler system to be added requires resubmission

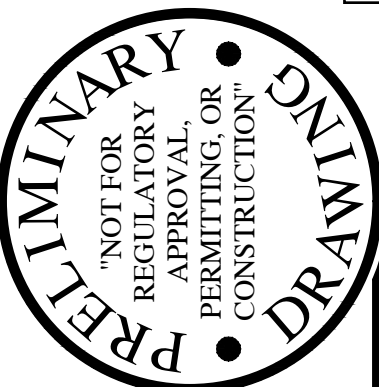
Note: 171 W. Washington is a new application that will have to be processed by both regulatory agencies and it should be submitted within three weeks after today's meeting and approval of zoning

2. March 1, 2023

- Projected date for commencement of construction of approved plans on both buildings

3. September 1, 2023

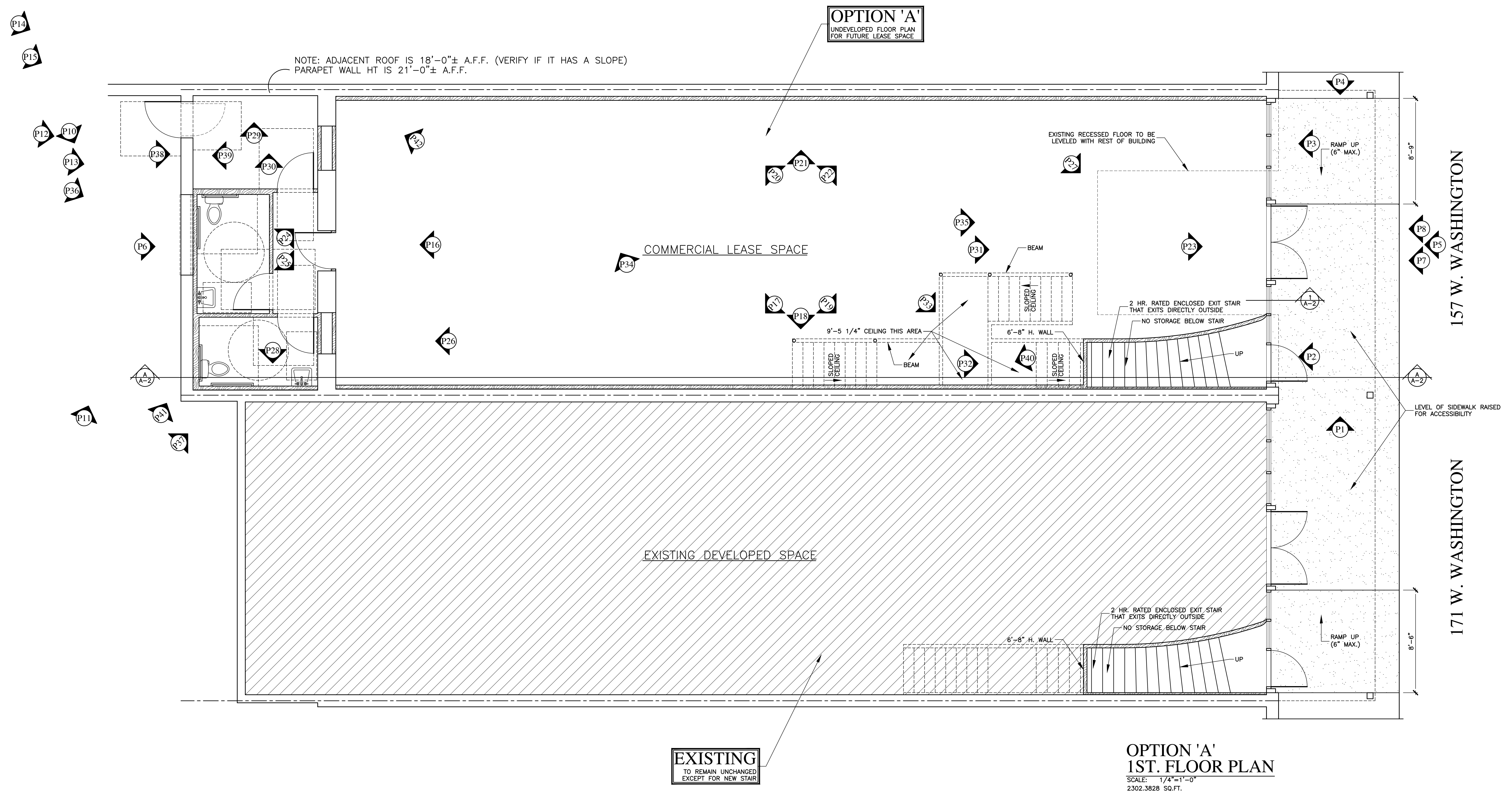
- Projected date to complete construction and secure approval from Texas Historical Commission and the National Park Service



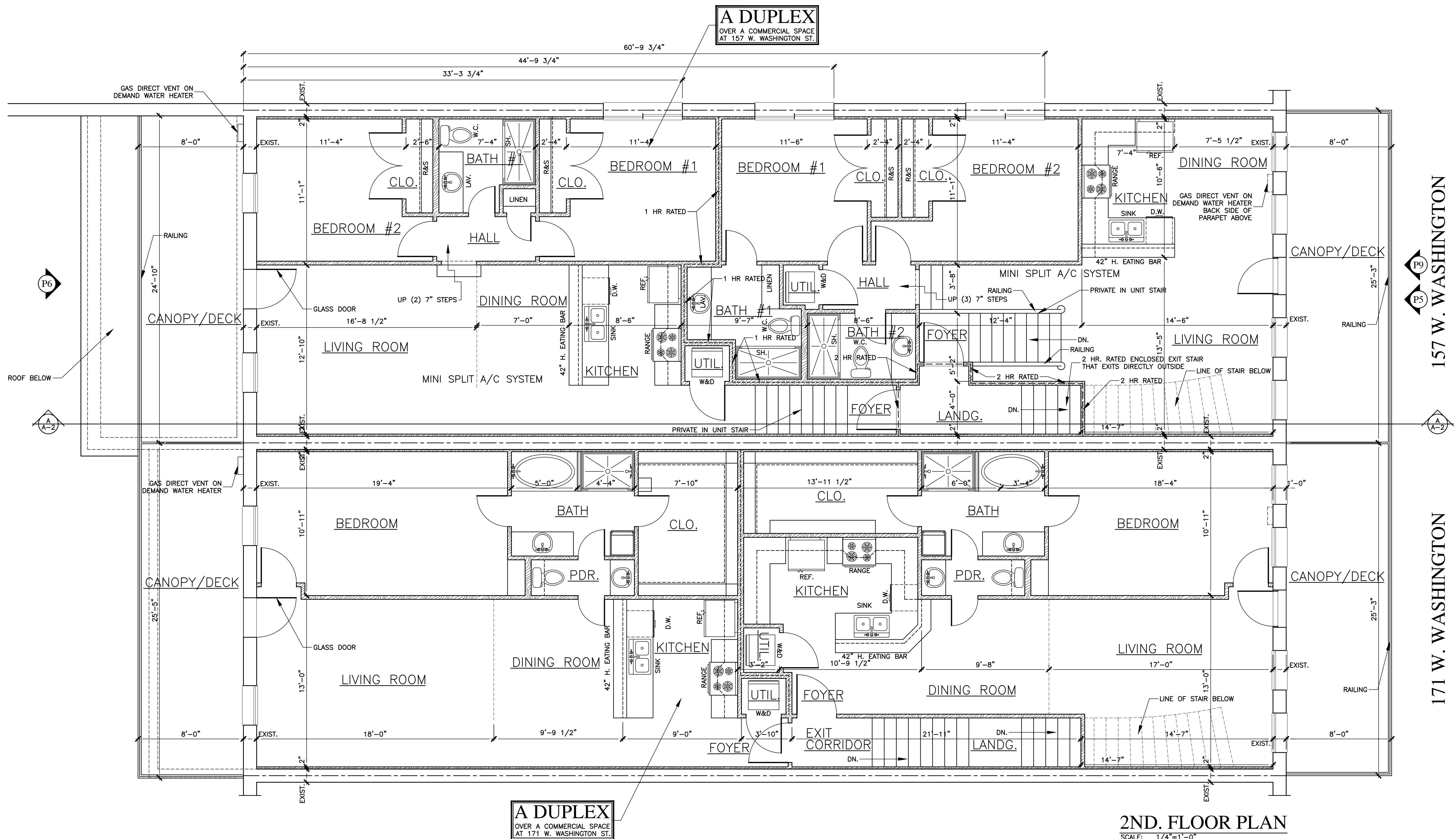
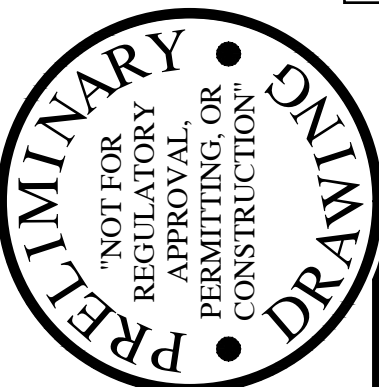
ARCHITECT JOHN G. BEVERLY ARCHITECTS, P.C. STEPHENVILLE, TEXAS 76401
DUPLICATE OVER COMMERCIAL DEVELOPMENT OF THE JAKE WILSON & THEO BAUER BUILDINGS 157 & 171 WEST WASHINGTON STREET, STEPHENVILLE, TEXAS
john@jgarch.com (254) 968-4211 O. (254) 396-9999 M.

DRAWINGS THIS SHEET: 1ST. FLOOR PLAN-VACANT LEASE SPACE

SHEET NO. A-1 OF 1
JOB NUMBER: 18C08
START DATE: 4/30/18
REVISED BY: J.G.B.
REVISED: 5/16/22



OPTION 'A'
1ST. FLOOR PLAN
SCALE: 1/4"=1'-0"
2302.3828 SQ.FT.

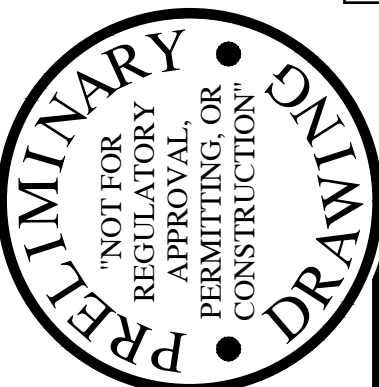


2ND. FLOOR PLAN
 SCALE: 1/4"=1'-0"
 1997.9063 SQ.FT.

ARCHITECT
 JOHN G. BEVERLY
 P.O. BOX 1990
 STEPHENVILLE, TEXAS 76401
 (254) 968-4211 O. (254) 396-9999 M.
 john@jgbeverly.com

DRAWINGS THIS SHEET:
 2ND. FLOOR PLAN
 SHEET NO. A-3
 JOB NUMBER: 18C08
 START DATE: 4/30/18
 REVISED: 5/16/22
 DRAWN BY: J.G.B.





DUPLEX OVER COMMERCIAL DEVELOPMENT OF THE JAKE WILSON & THEO BAUER BUILDINGS
STEPHENVILLE, TEXAS 76401
john@jgbeverly.com

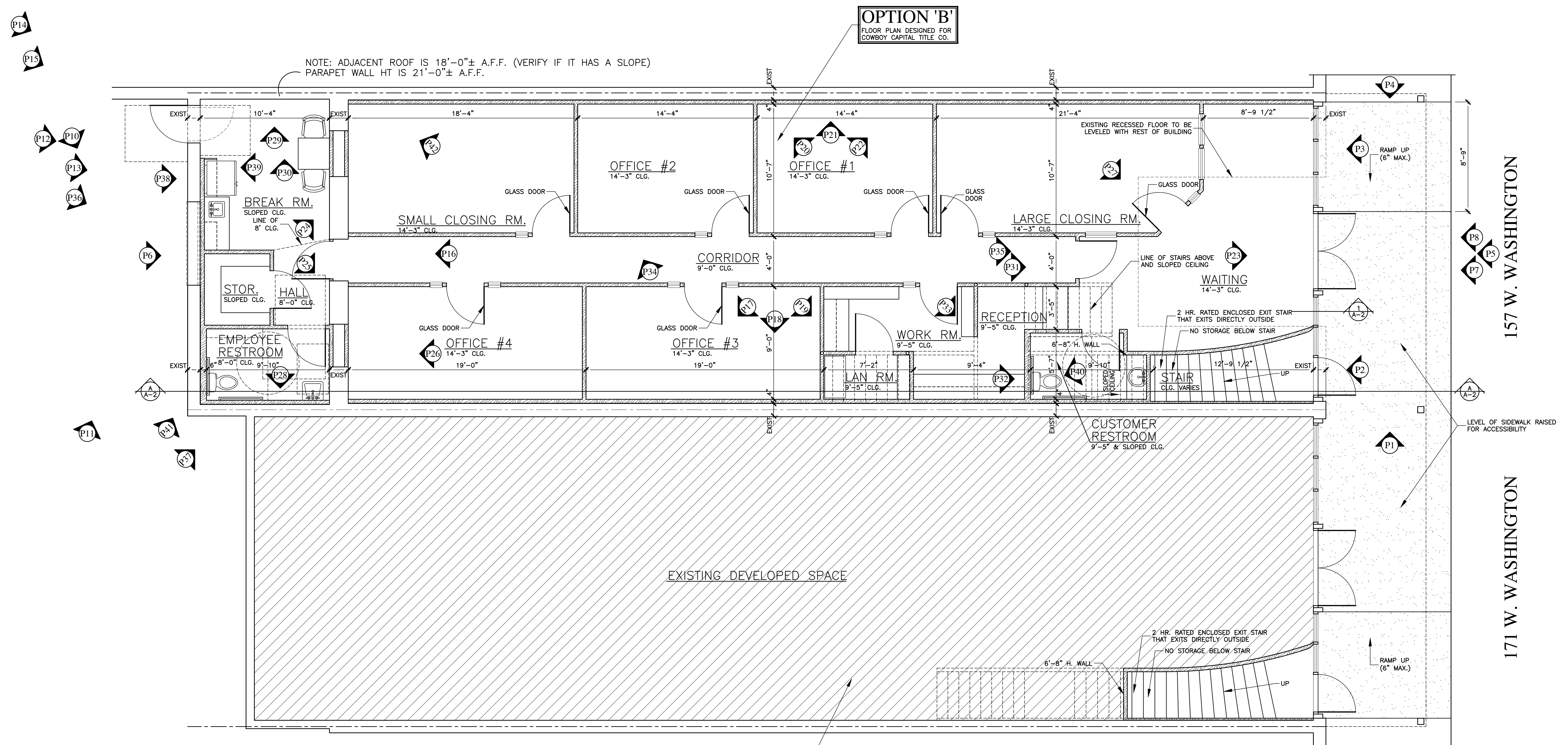
ARCHITECT JOHN G. BEVERLY
P.O. BOX 1990 STEPHENVILLE, TEXAS 76401
(254) 968-4211 O. (254) 396-9999 M.

DRAWINGS THIS SHEET: 1ST. FLOOR PLAN-COWBOY COUNTRY TITLE

START DATE: 4/30/18
REVISED: 5/16/22

JOB NUMBER: 18C08
DRAWN BY: J.G.B.

SHEET NO: A-2
OF: .



OPTION 'B'
FLOOR PLAN DESIGNED FOR
COWBOY CAPITAL TITLE CO.

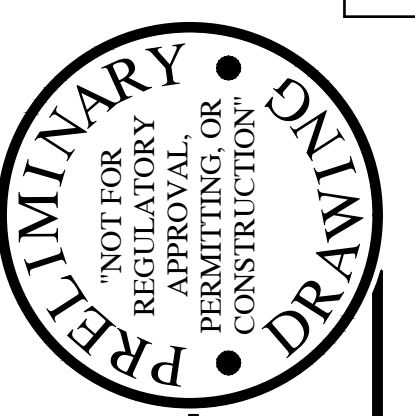
NOTE: ADJACENT ROOF IS 18'-0"± A.F.F. (VERIFY IF IT HAS A SLOPE)
PARAPET WALL HT IS 21'-0"± A.F.F.

EXISTING
TO REMAIN UNCHANGED
EXCEPT FOR NEW STAIR

OPTION 'B'
1ST. FLOOR PLAN
SCALE: 1/4"=1'-0"
2302.3828 SQ.FT.

157 W. WASHINGTON

171 W. WASHINGTON

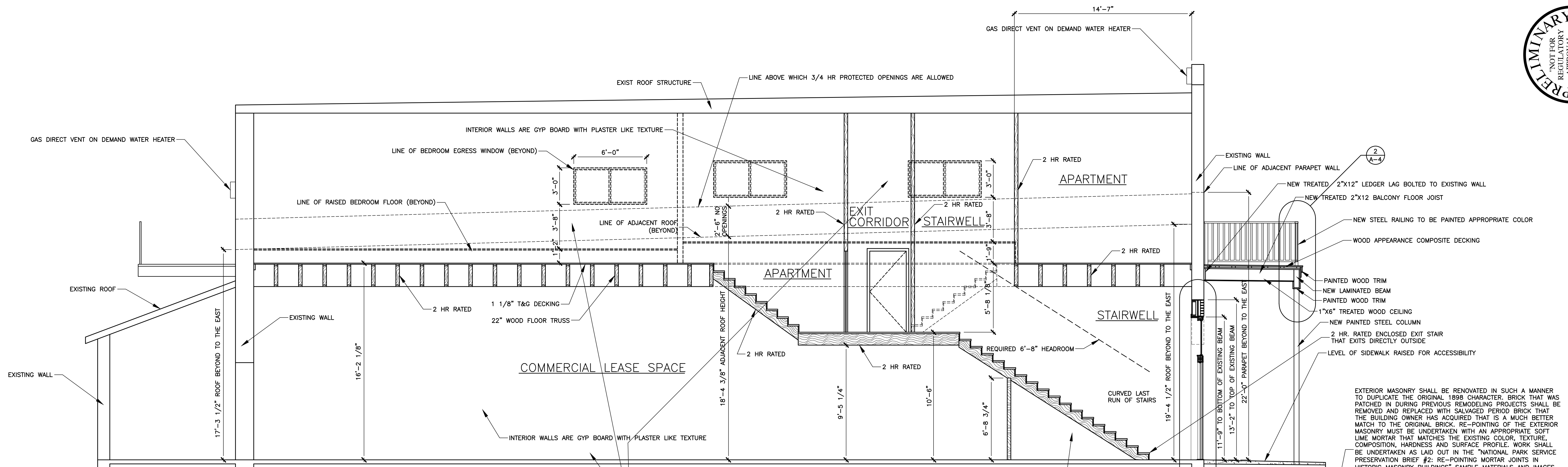


DUPLEX OVER COMMERCIAL DEVELOPMENT OF THE JAKE WILSON & THEO BAUER BUILDINGS 157 & 171 WEST WASHINGTON STREET, STEPHENVILLE, TEXAS

ARCHITECT JOHN G. BEVERLY P.O. BOX 1990 STEPHENVILLE, TEXAS 76401 (254) 968-4211 O. (254) 396-9999 M. jgbev@jgbevchc.com

DRAWINGS THIS SHEET: BUILDING SECTION FRONT ELEVATION

START DATE: 4/30/18 JOB NUMBER: 18C08 SHEET NO: A-4 OF: 18

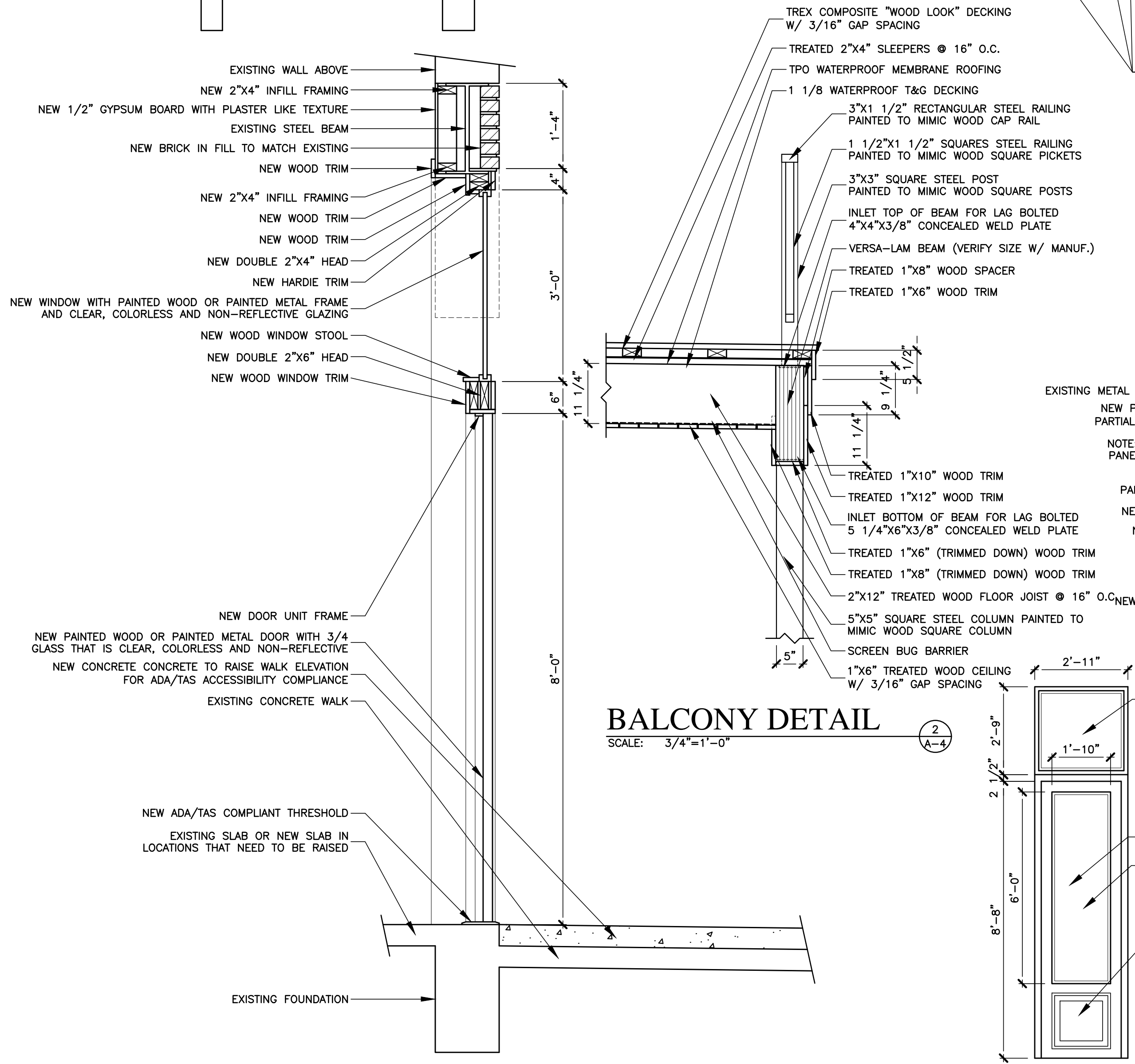


BUILDING SECTION

SCALE: 1/4"=1'-0"

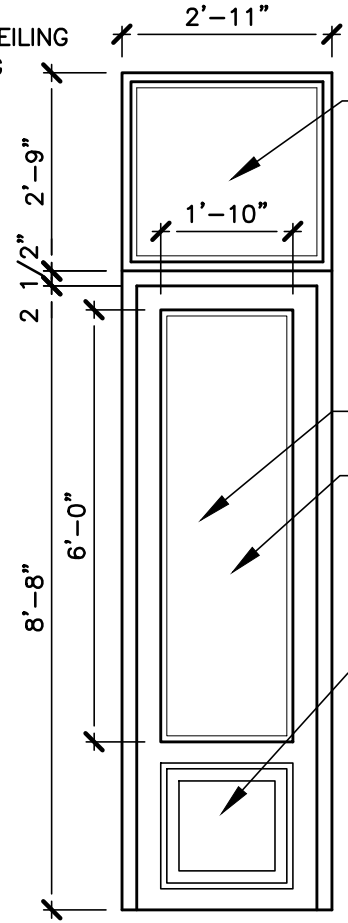
INTERIOR FINISHES SHALL BE, AS THE BUILDING HISTORICALLY HAD IN THE PAST. ALL SURFACES INCLUDING WALLS, CEILINGS, AND FLOORS SHALL HAVE SMOOTH FINISHES THAT CONCEAL THE STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS. INTERIOR WOOD TRIM INCLUDING WINDOW AND DOOR CASINGS, BASEBOARDS, CROWN MOLDING, AS WELL AS INTERIOR DOORS SHALL BE SIMPLE AND COMPATIBLE WITH THE HISTORIC BUILDING FLOORING IN THE MAIN SPACES ON THE FIRST FLOOR SHALL BE WOOD OR TILE. WOOD LOOK VINYL IS NOT ACCEPTABLE. SELECTIONS OF THE ABOVE ITEMS MUST BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. TENANT FINISH-OUT INCLUDING INTERIOR FINISH WORK AND SIGNAGE IS ALSO SUBJECT TO REVIEW AND APPROVAL WHEN A TENANT HAS BEEN SECURED. IF NO TENANT HAS BEEN SECURED, THE PROJECT MAY BE CERTIFIED IF THE SPACE HAS BEEN BROUGHT TO A BASIC "WHITE BOX" CONDITION (FINISH SURFACES, CONCEALED SYSTEMS).

EXTERIOR MASONRY SHALL BE RENOVATED IN SUCH A MANNER TO DUPLICATE THE ORIGINAL 1898 CHARACTER. BRICK THAT WAS PATCHED IN DURING PREVIOUS REMODELING PROJECTS SHALL BE REMOVED AND REPLACED WITH SALVAGED PERIOD BRICK THAT THE BUILDING OWNER HAS ACQUIRED THAT IS A MUCH BETTER MATCH TO THE ORIGINAL BRICK. RE-POINTING OF THE EXTERIOR MASONRY MUST BE UNDERTAKEN WITH AN APPROPRIATE SOFT LIME MORTAR THAT MATCHES THE EXISTING COLOR, TEXTURE, COMPOSITION, HARDNESS AND SURFACE PROFILE. WORK SHALL BE UNDERTAKEN AS LAID OUT IN THE "NATIONAL PARK SERVICE PRESERVATION BRIEF #2: RE-POINTING MORTAR JOINTS IN HISTORIC MASONRY BUILDINGS" SAMPLE MATERIALS AND IMAGES OF PROPOSED WORK SHALL BE PRESENTED TO THE STATE HISTORIC PRESERVATION OFFICE FOR REVIEW BEFORE EXTENSIVE MASONRY RENOVATION IS DONE. GOOD QUALITY, CLOSE UP COLOR PHOTOS, BOTH BEFORE AND AFTER RE-POINTING AND BRICK REPLACEMENT SHALL BE TAKEN AND SUBMITTED WITH THE PART 3: REQUEST FOR CERTIFICATION OF COMPLETED WORK.



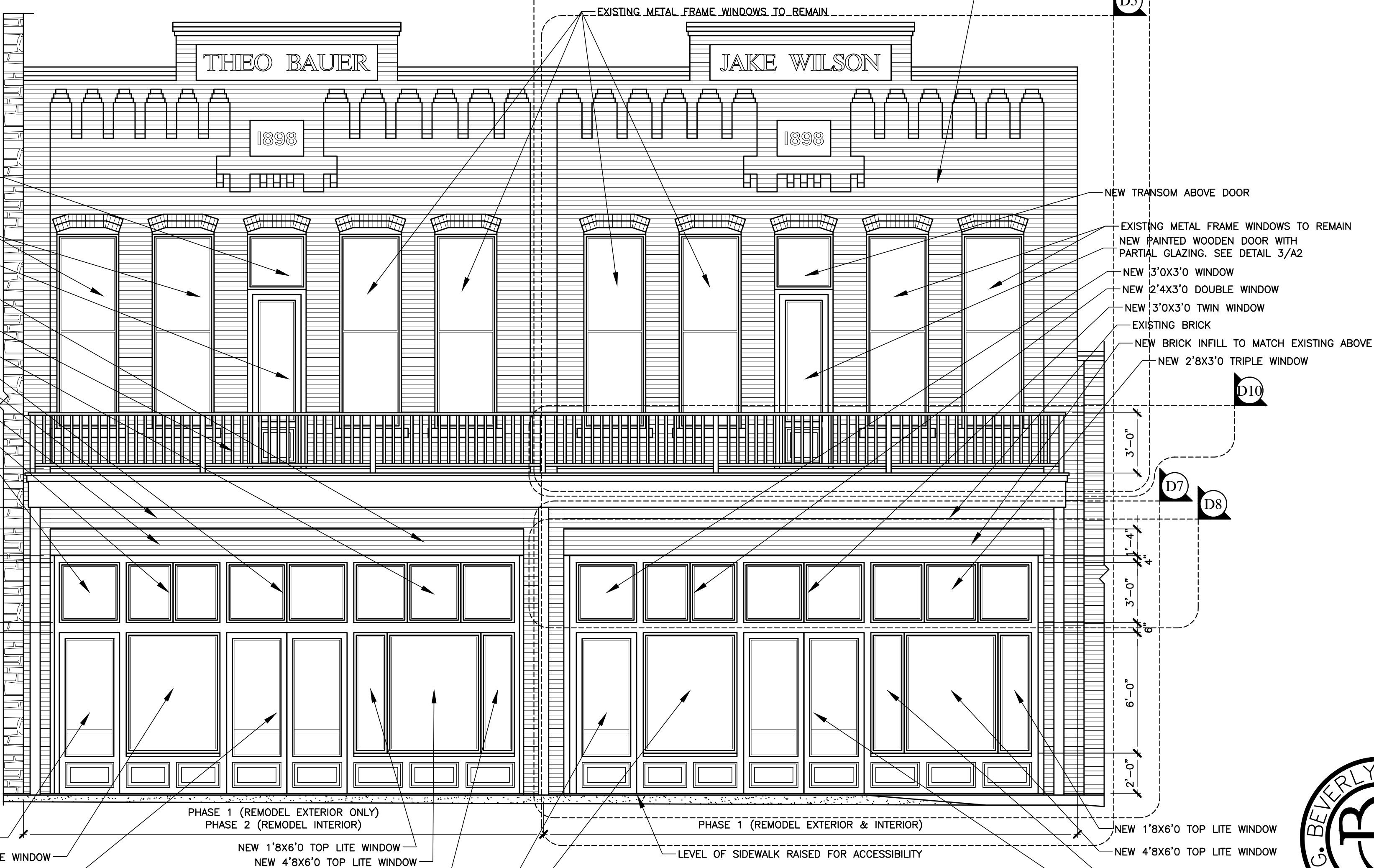
BALCONY DETAIL

SCALE: 3/4"=1'-0"



DOOR DETAIL

SCALE: 1/4"=1'-0"



FRONT ELEVATION

SCALE: 1/4"=1'-0"

FRONT ELEVATION

SCALE: 1/4"=1'-0"

**Schedule of Photographs of Theo Bauer Building
Stephenville, Texas**

| Photograph Exhibit No. | Description |
|-------------------------------|---|
| 1 | Back wall of building |
| 2 | Back wall and area of land behind building |
| 3 | Back wall of building |
| 4 | Back door of building and added equipment room |
| 5 | Interior room of first floor (existing beauty salon) |
| 6 | Interior room of first floor (existing beauty salon) |
| 7 | Steel vault storage room |
| 8 | Interior room of first floor (existing beauty salon) |
| 9 | Interior room of midlevel floor (existing beauty salon) |
| 10 | Interior room of midlevel floor (existing beauty salon) |
| 11 | Bathroom on first floor |
| 12 | Bathroom on first floor |
| 13 | Hall area first floor |
| 14 | Back interior room of first floor (existing beauty salon) |
| 15 | Interior room of midlevel floor (existing beauty salon) |
| 16 | Interior room of midlevel floor (existing beauty salon) |
| 17 | Interior room of midlevel floor (existing beauty salon) |
| 18 | Interior room of first floor (existing beauty salon) |
| 19 | Hallway door to second floor |
| 20 | Common area first floor and stairway to midlevel floor |
| 21 | Back door and back wall of building |
| 22 | Interior stairway to midlevel floor |
| 23 | Stairway from midlevel floor to second floor |
| 24 | Interior room second floor |
| 25 | View of Courthouse square from second floor |
| 26 | Air conditioning unit second floor |
| 27 | Front room second floor showing portion of old stairway remaining |
| 28 | Front room second floor |
| 29 | Front room second floor |
| 30 | Front room second floor from interior partition wall |
| 31 | Interior room second floor |
| 32 | Stairwell to midlevel floor from second level floor |
| 33 | Stairwell to midlevel floor from first floor |





Figure 2 Interior North East Wall of Jake Wilson Building

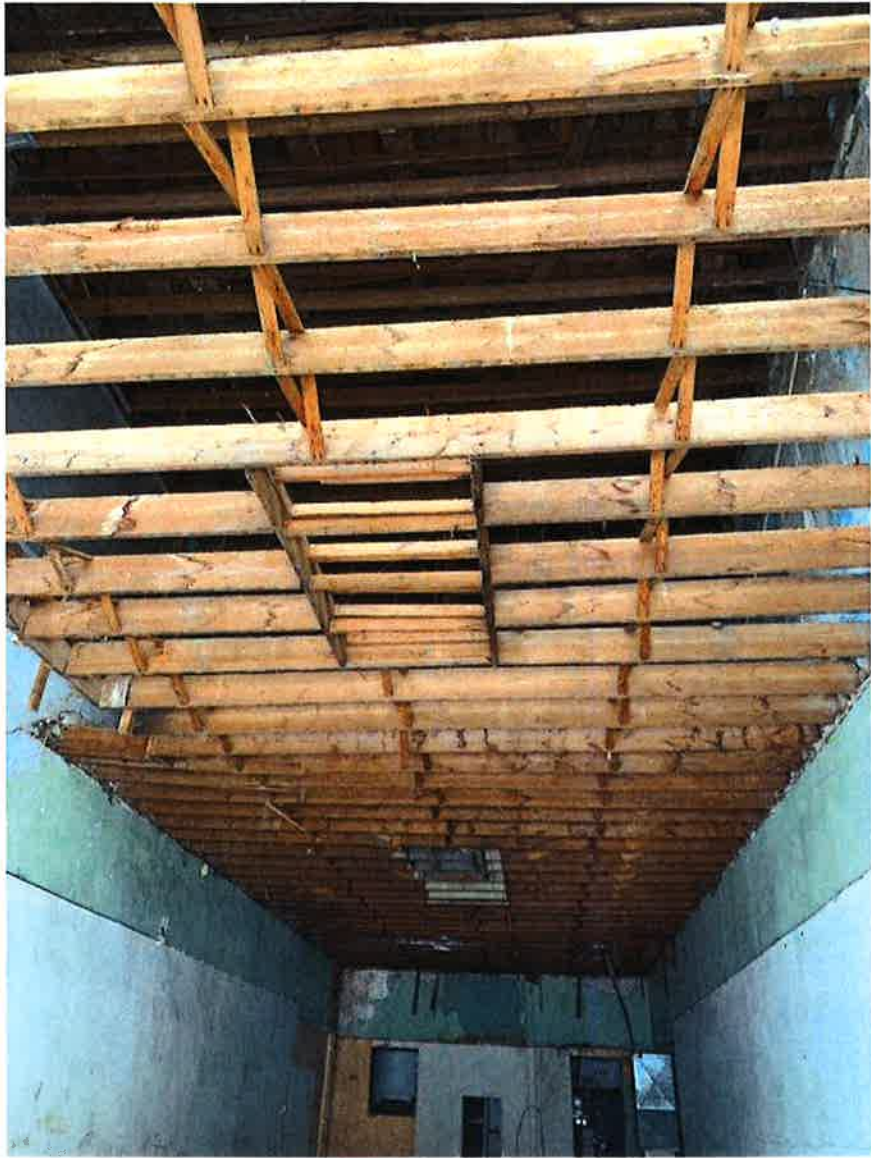
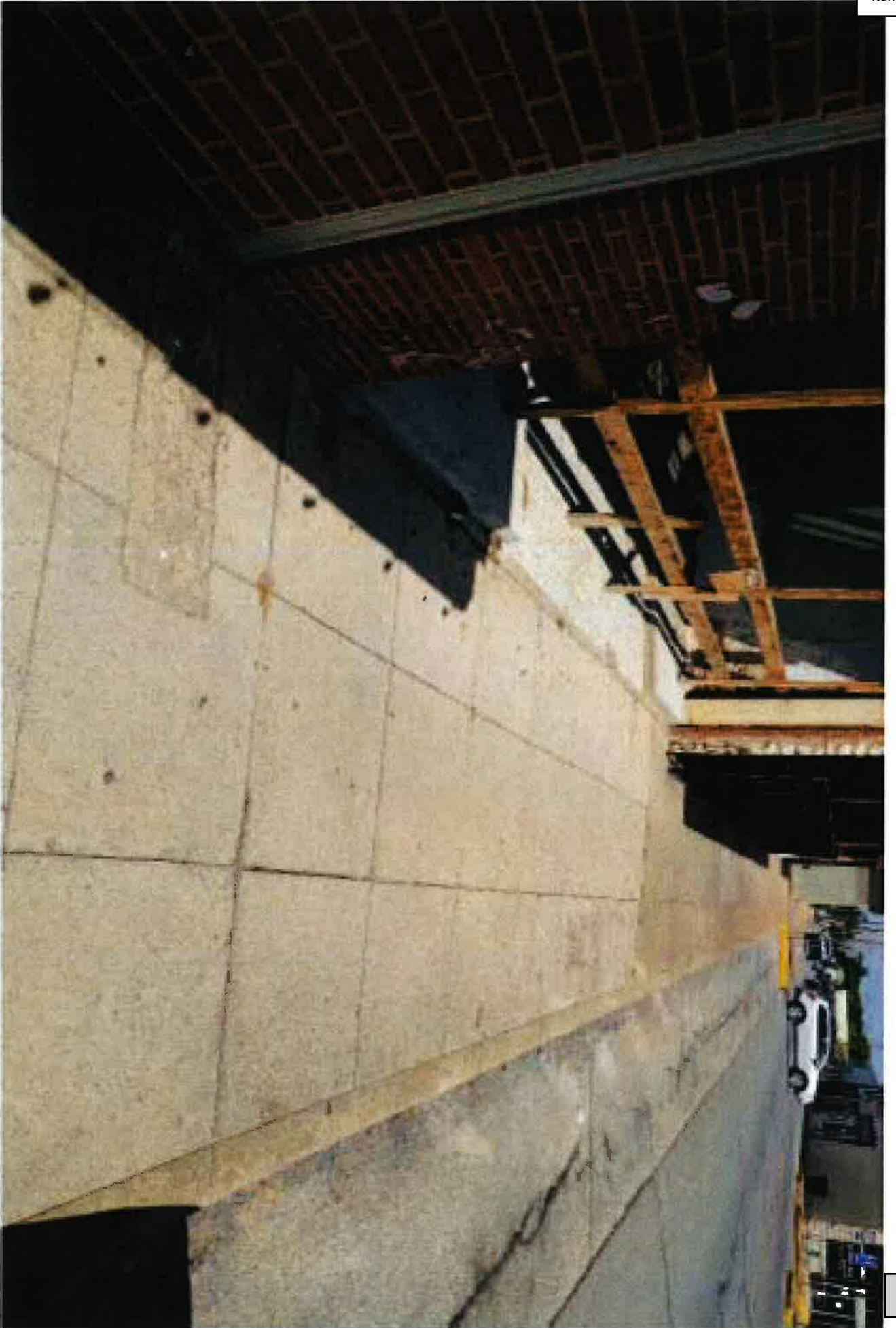
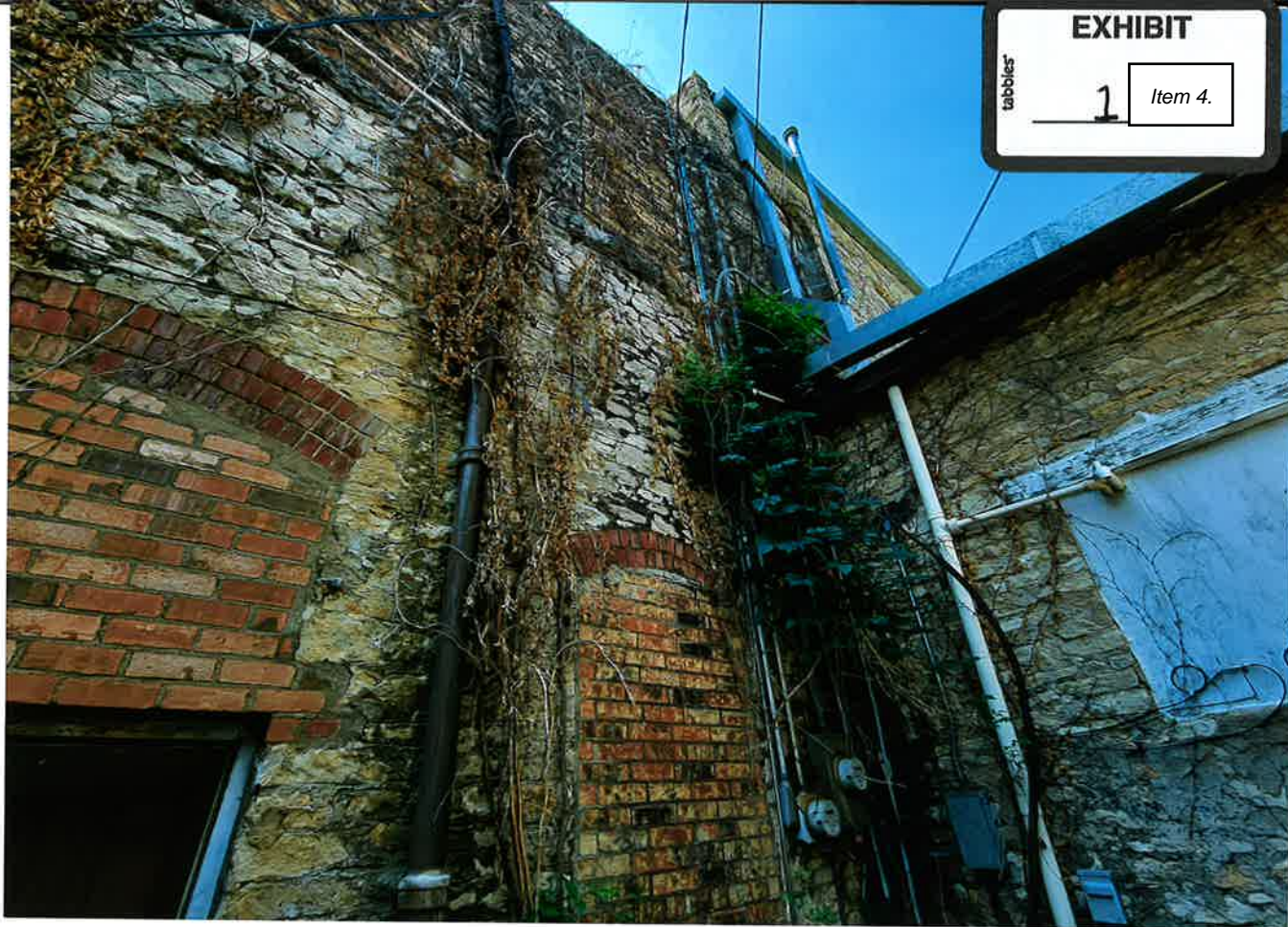


Figure 1 Ceiling of Jake Wilson Building
Looking towards the North end of building with back facing Washington Street



Picture P1

Andreea Flores
512-475-0129



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1 Item 4.

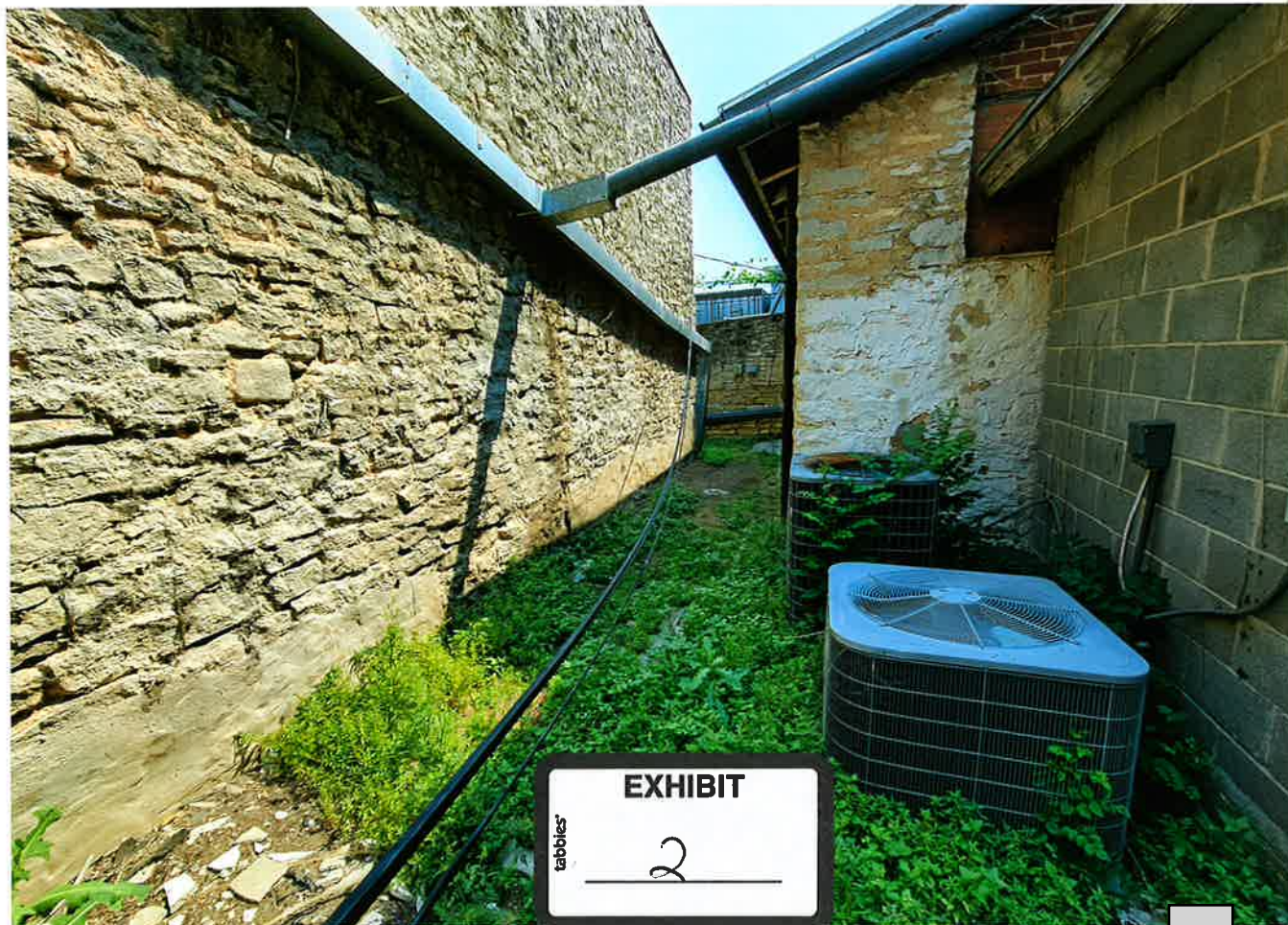
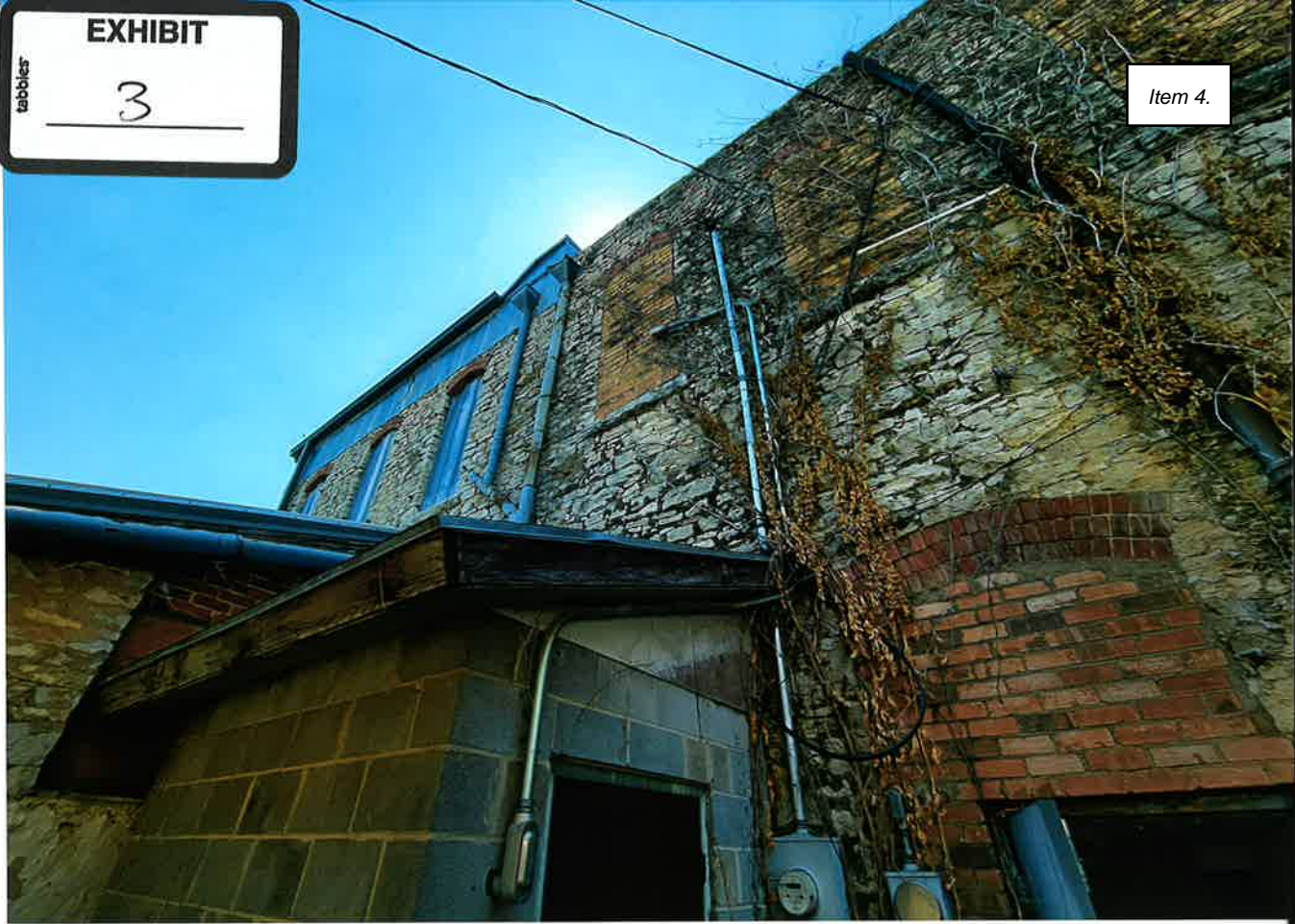


EXHIBIT
2

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EXHIBIT
3



Item 4.

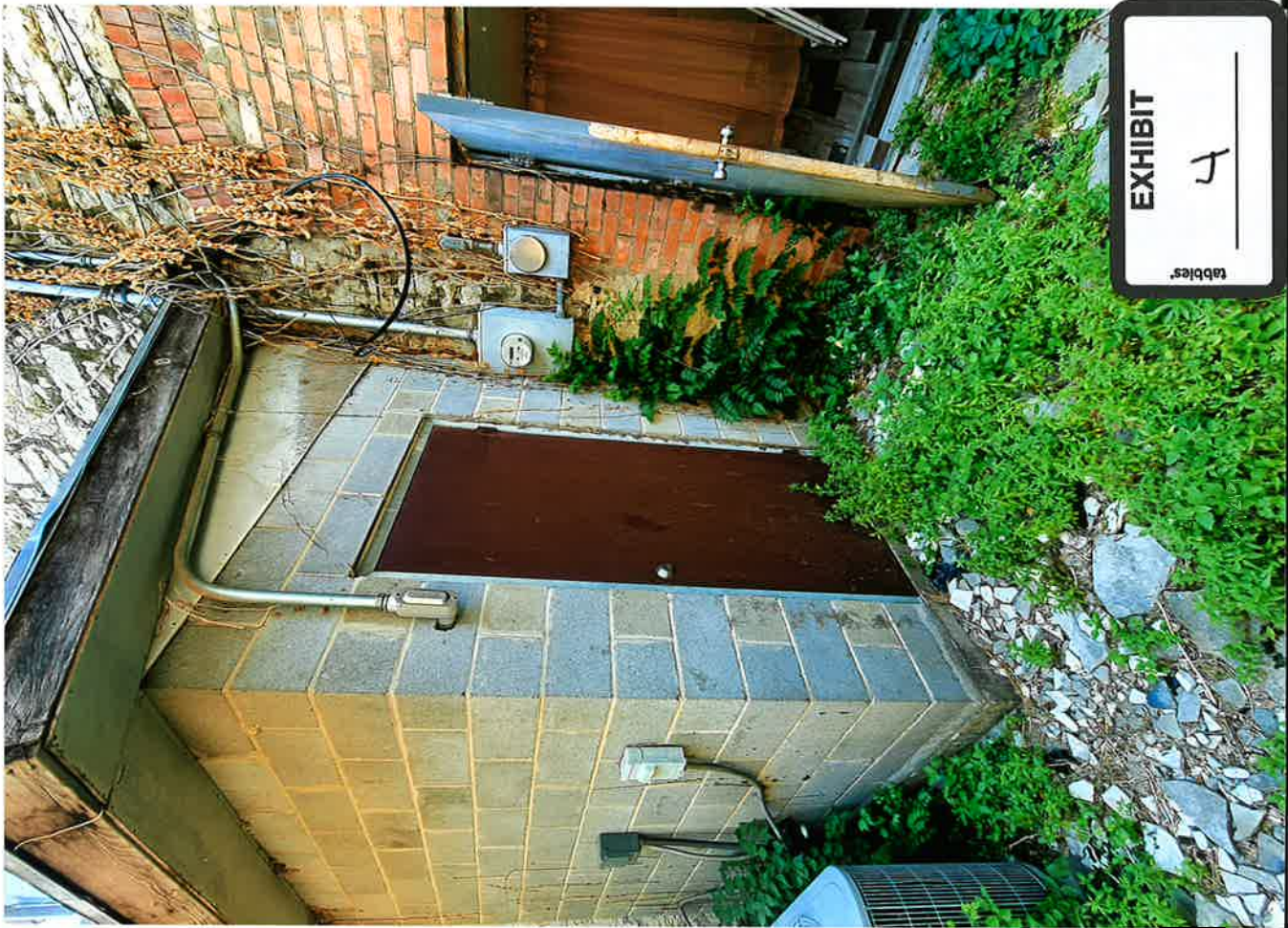
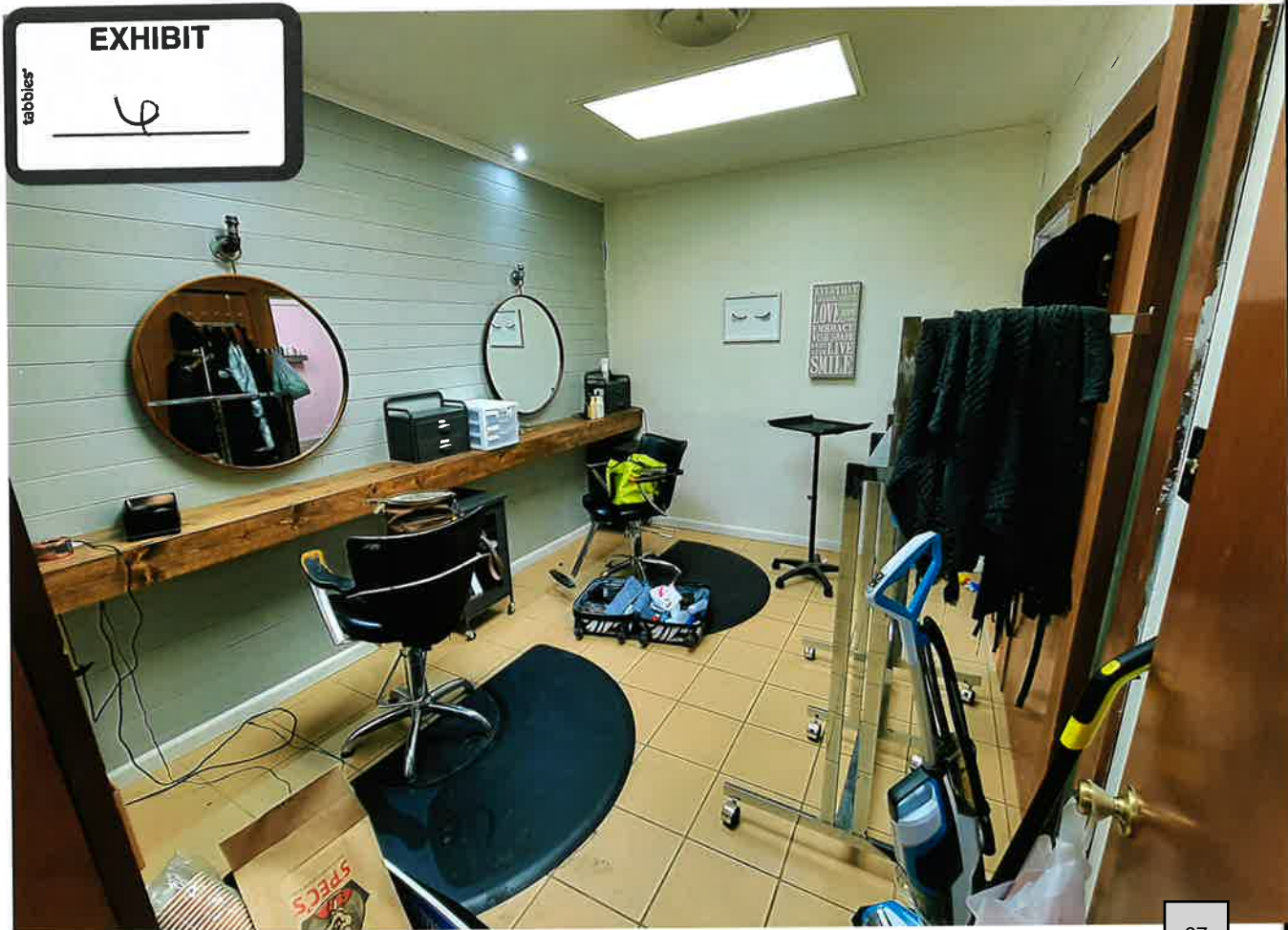


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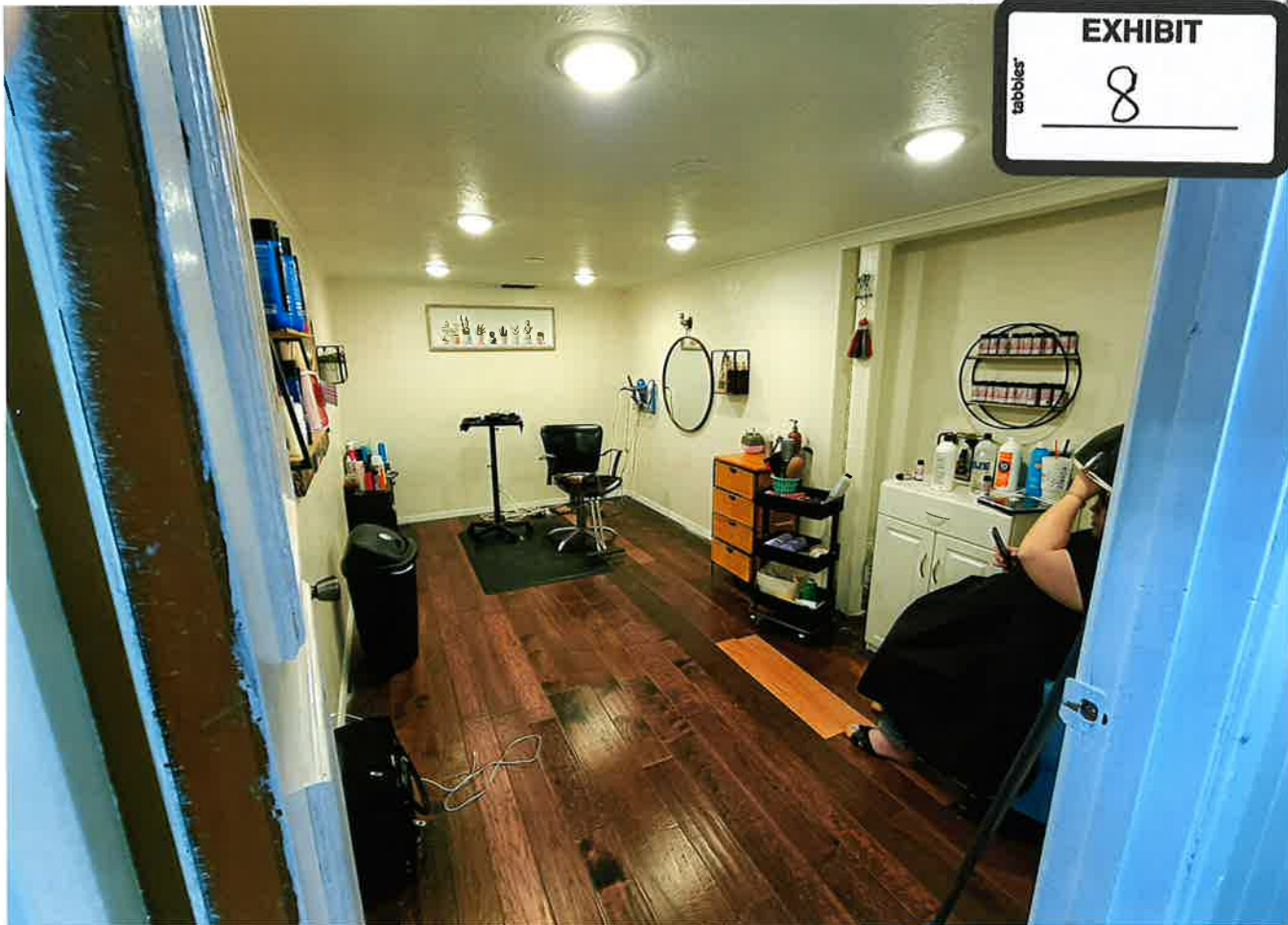
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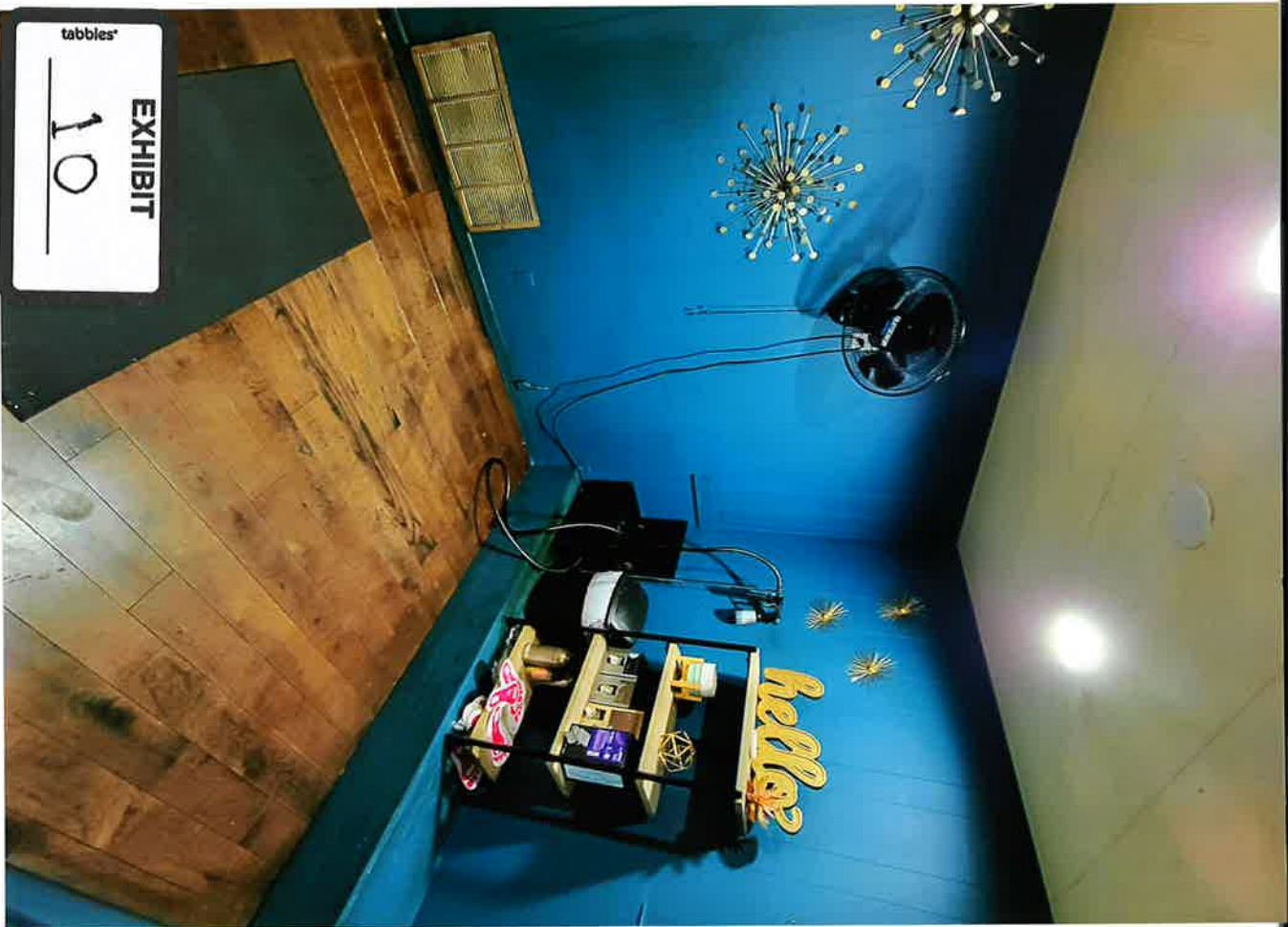
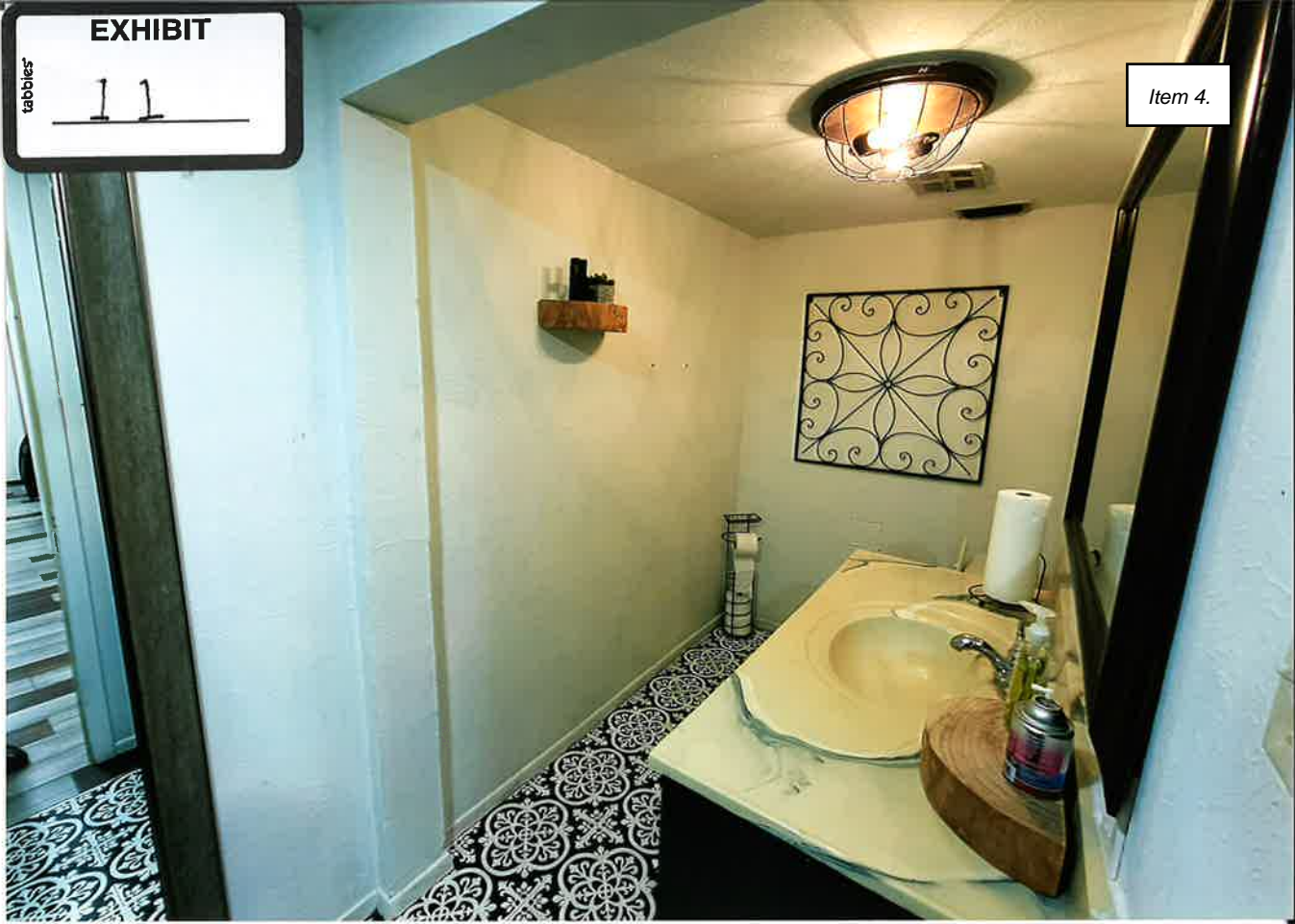


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EXHIBIT
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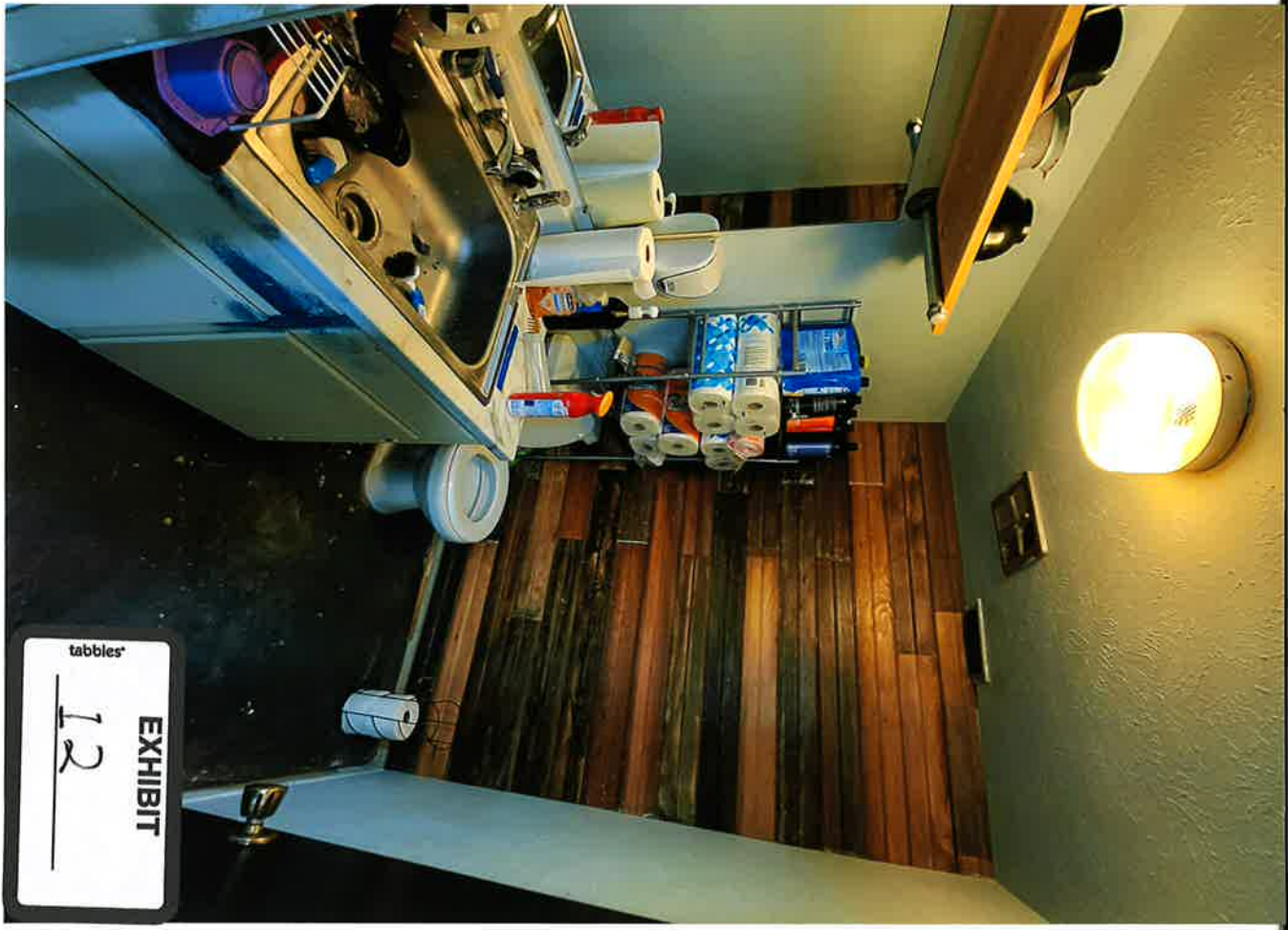
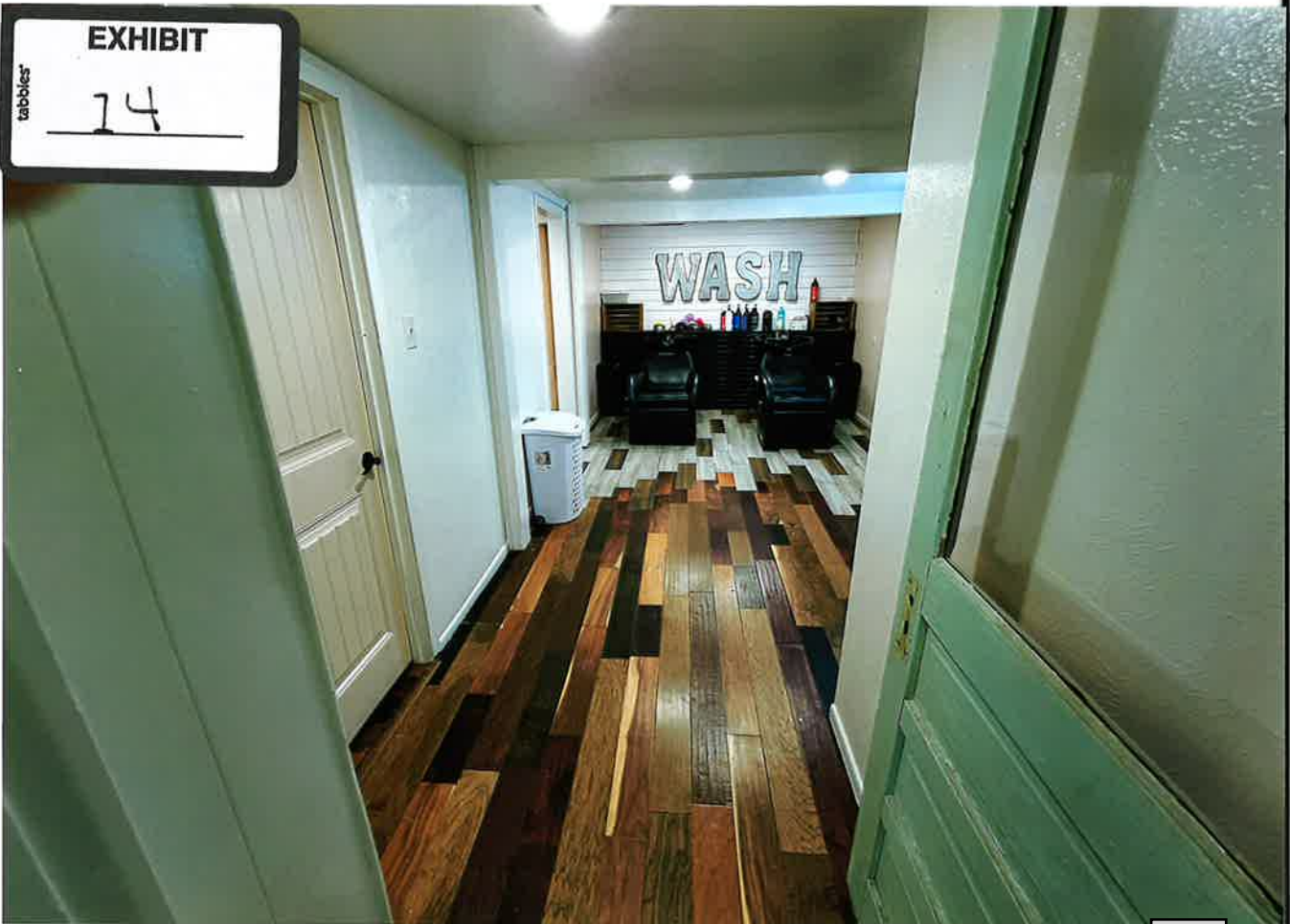
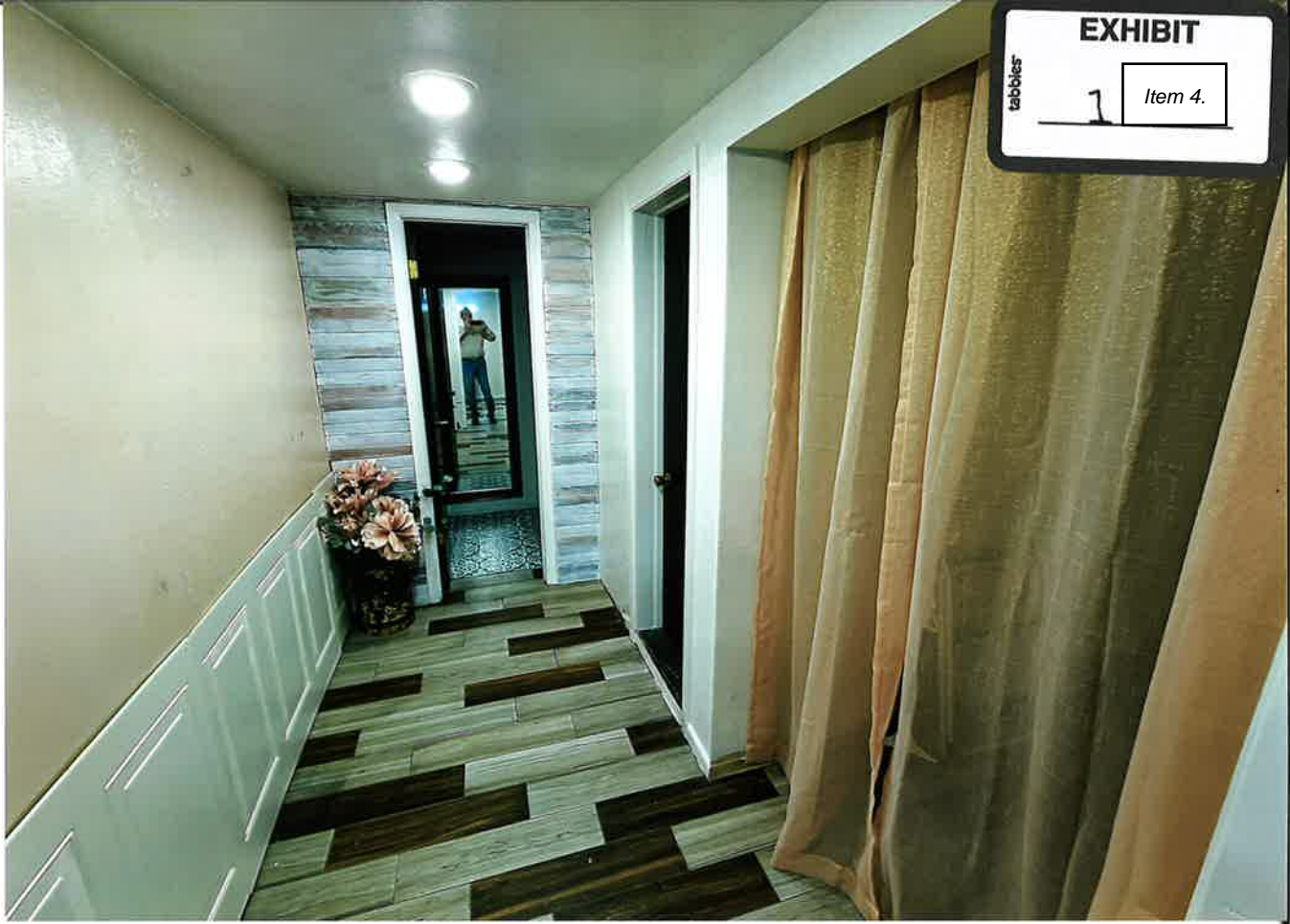
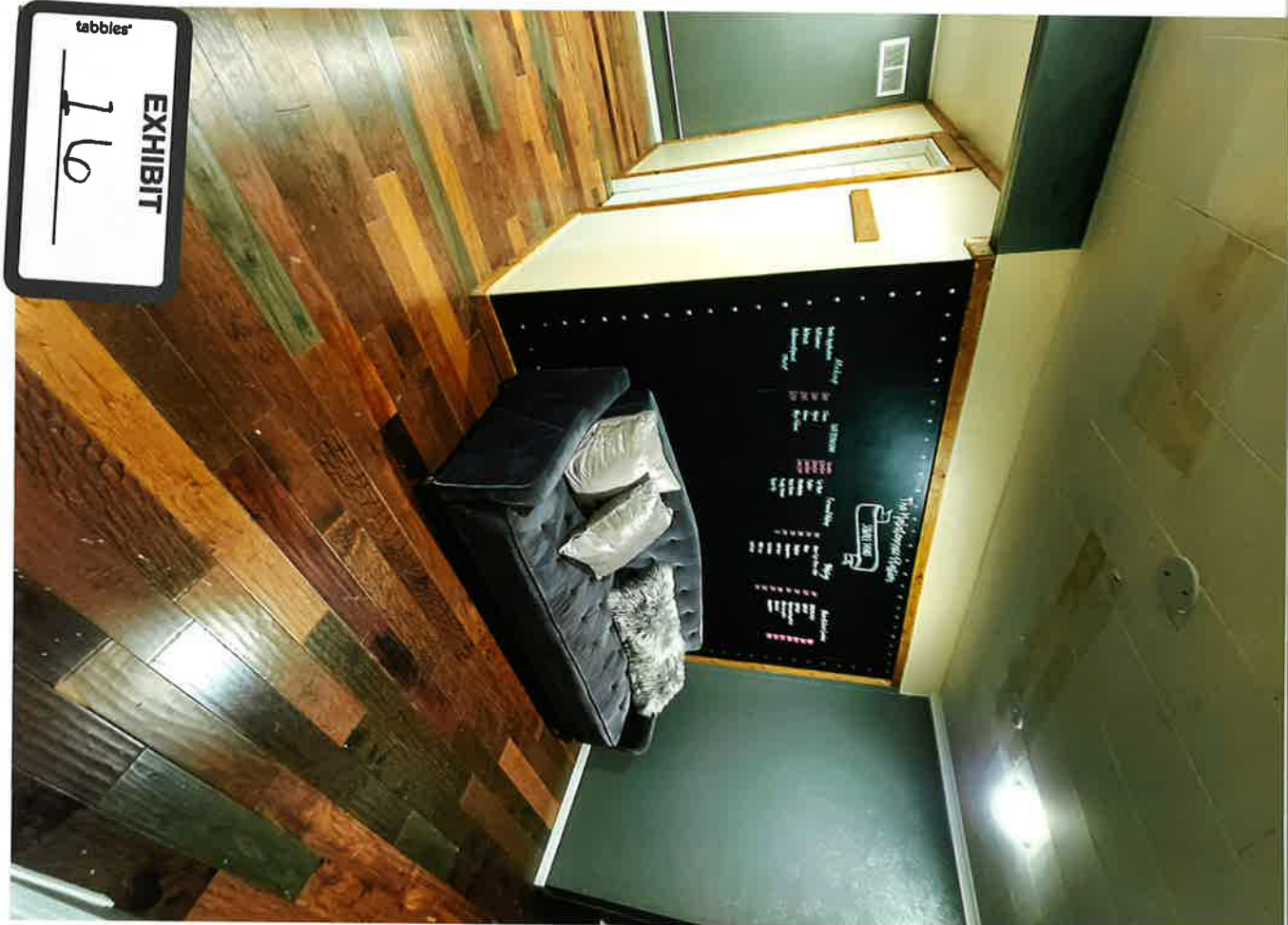


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12





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 16

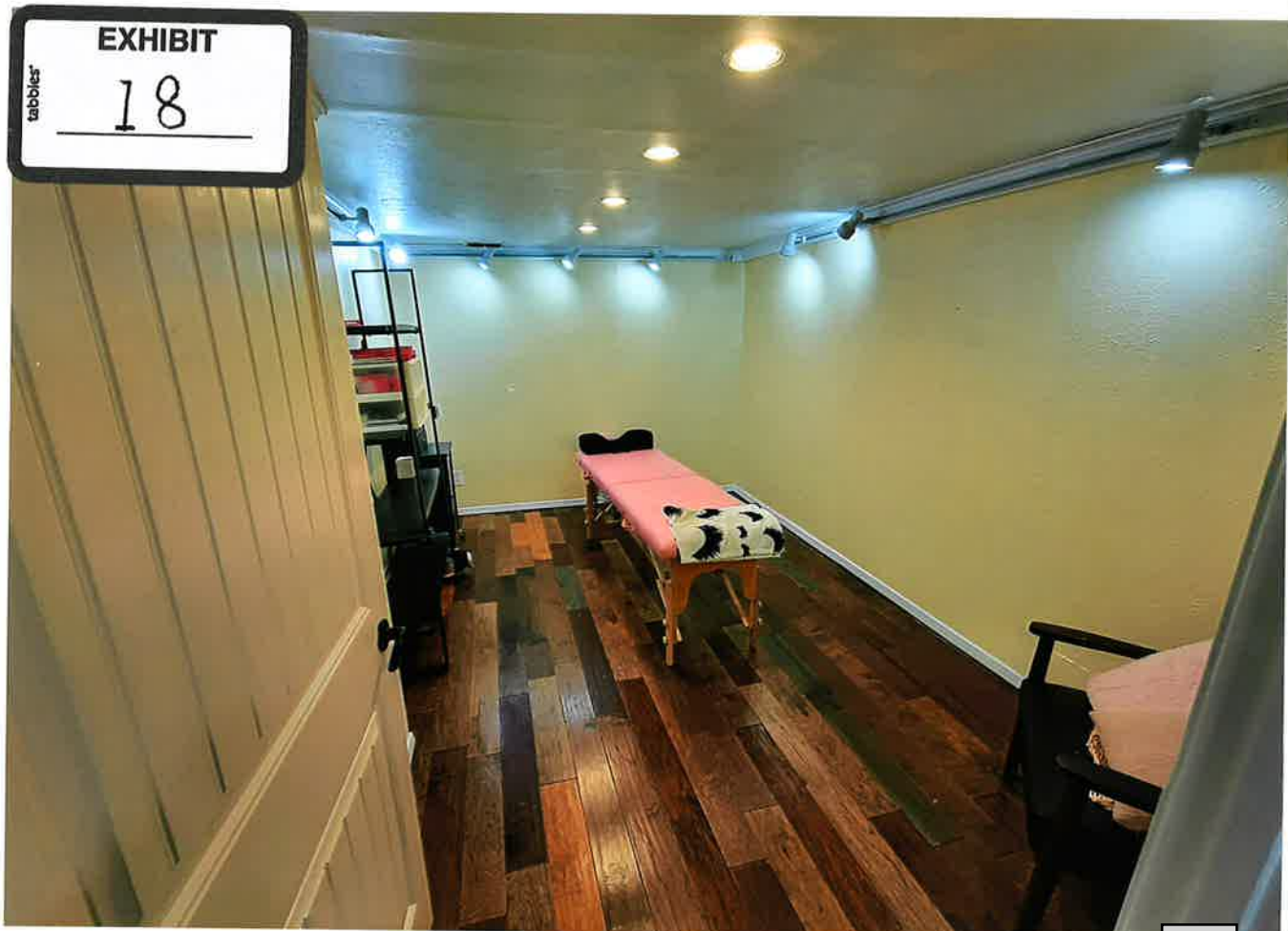


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 16



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Item 4.
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19
EXHIBIT

Item 4.



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20
EXHIBIT



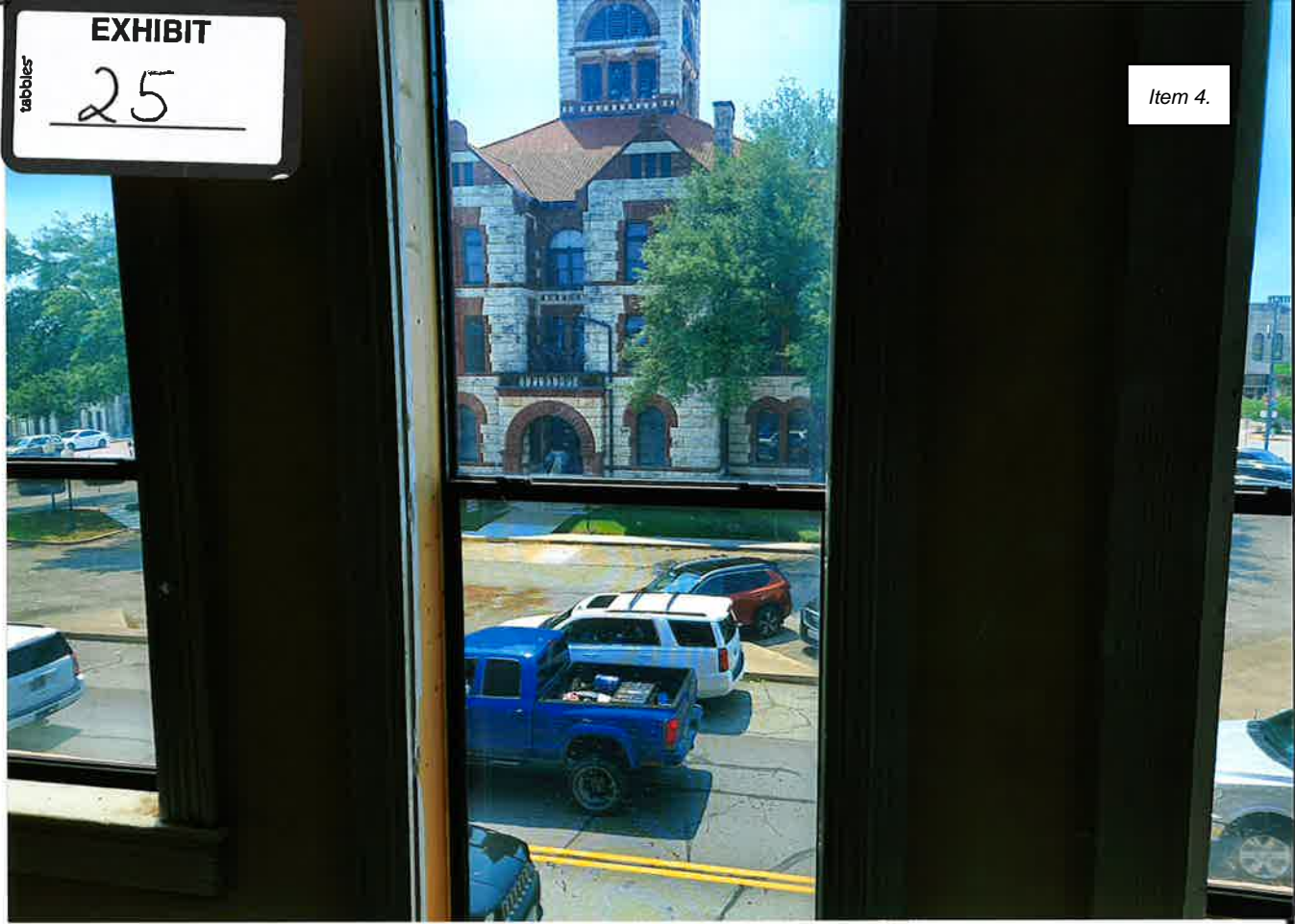


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Item 4.
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25



Item 4.



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26



Item 4.
EXHIBIT
27
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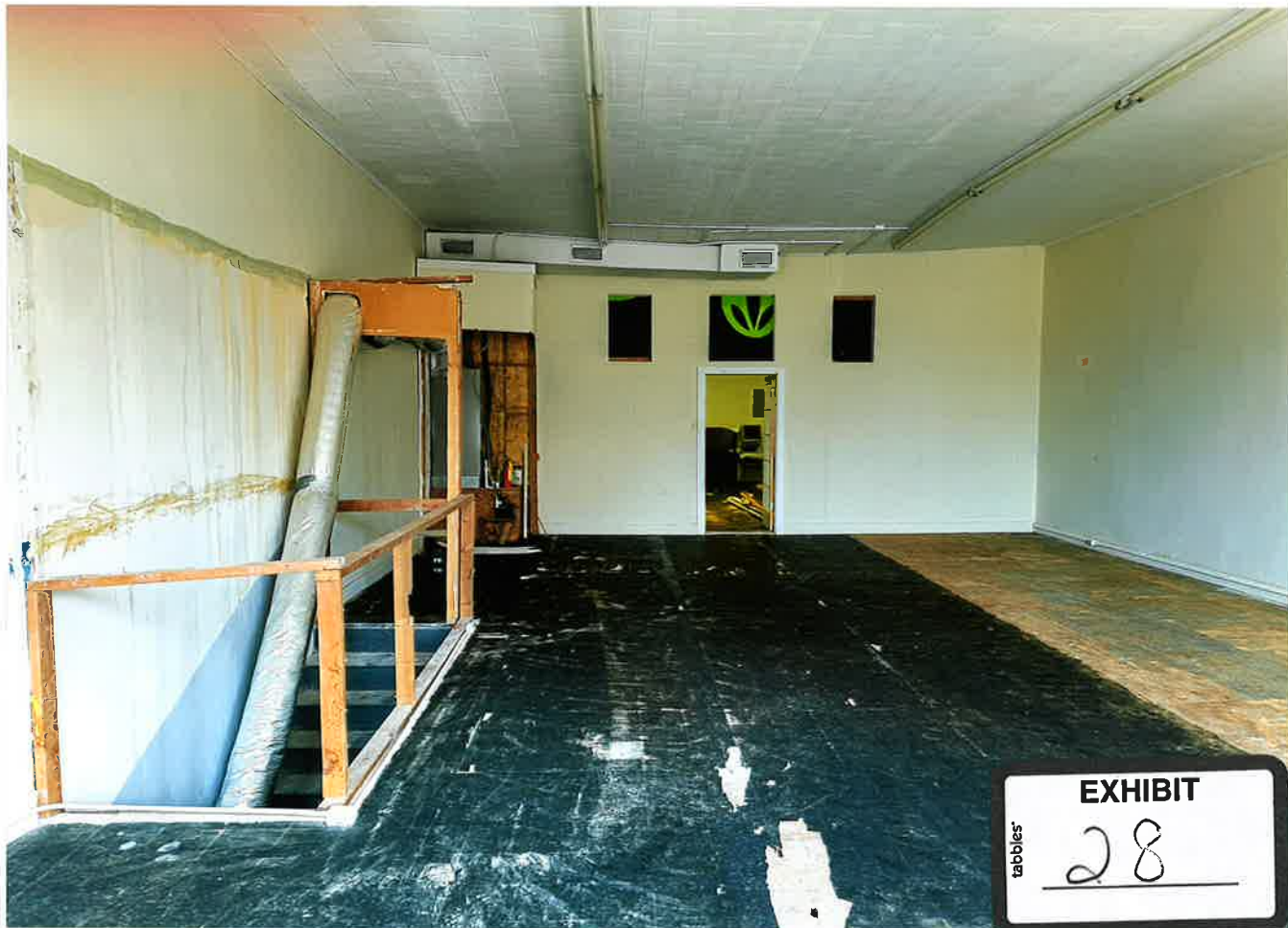


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EXHIBIT
31

Item 4.



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EXHIBIT
32





STAFF REPORT

SUBJECT: Case No.: RZ2022-011

Applicant Ronald Gale is requesting a rezone of property located at 935 College Farm Road, Parcel R40797, being Block 87, Lots 2 and 2A (PT OF 2)4 of the City Addition to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to One and Two Family Residential (R-2).

DEPARTMENT: Development Services

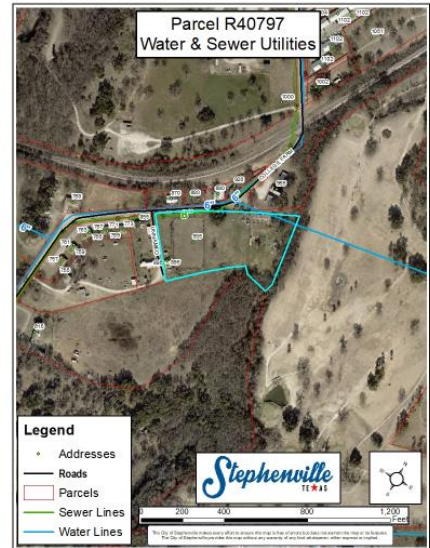
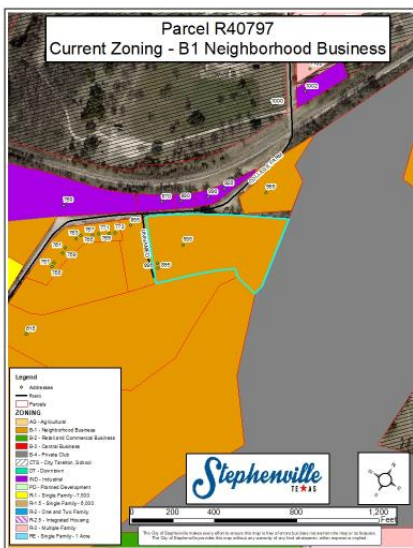
STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

The Comprehensive Plan for future land use designates this property to be one and two family residential. The applicant intends to build an additional, duplex-style home for family use on the property.

BACKGROUND:

PROPERTY PROFILE:



DESCRIPTION OF REQUESTED ZONING:

Sec. 154.05.5. One- and two-family residential district (R-2).

5.5.A Description. This residential district provides for a neighborhood development of medium density. The primary land use allows for single-family dwellings, along with two family dwelling units. Recreational, religious and educational uses normally appropriate to such a residential neighborhood are also permitted to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be separate from and protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

5.5.B Permitted Uses.

- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
- (2) Two-family dwelling units, with each family limited as in division (1) above;
- (3) Accessory buildings;
- (4) Churches, temples, mosques and related facilities;
- (5) Community home;
- (6) Park or playground; and
- (7) SISD school—public.

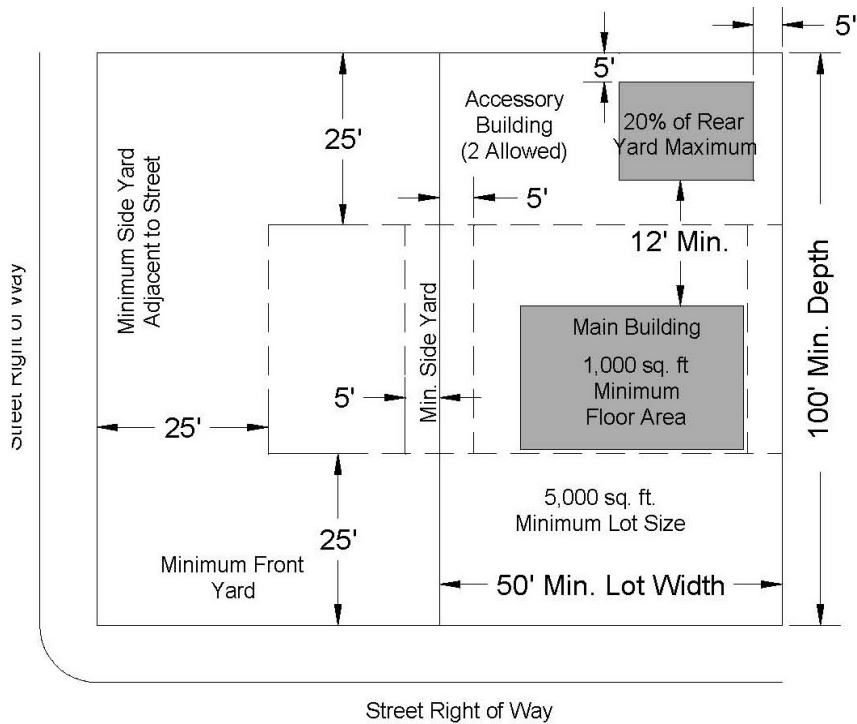
5.5.C Conditional Uses.

- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision;
- (3) Child care—registered family home and group day care home; and
- (4) Foster group home.

5.5.D Height, Area, Yard and Lot Coverage Requirements.

- (A) *Single family.*
 - (1) Minimum lot area: 5,000 ft².
 - (2) Minimum lot width and lot frontage: 50 feet.
 - (3) Minimum lot depth: 100 feet.
 - (4) Minimum depth of front setback: 25 feet.
 - (5) Minimum depth of rear setback: 25 feet.
 - (6) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
 - (7) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
 - (8) Accessory buildings:
 - (a) Maximum accessory buildings coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
 - (9) Maximum height of structures: 35 feet.
 - (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples, and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Height, Area, Yard and Lot Coverage Requirements
Single-Family Dwelling



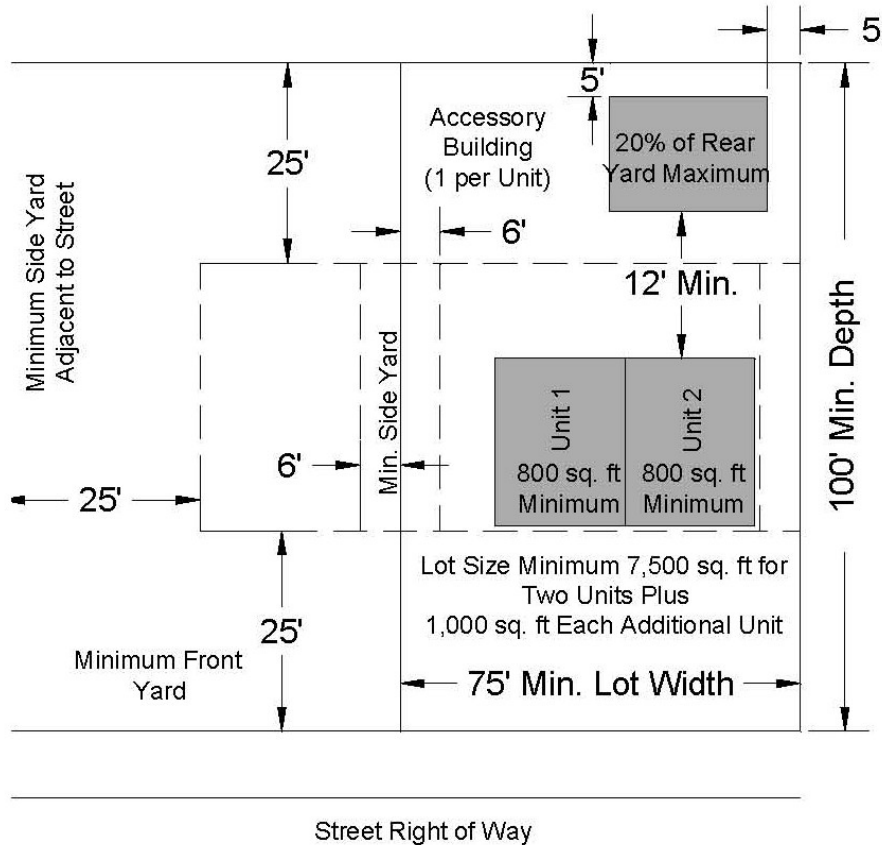
5.5.E Parking Regulations. A Single-Family, R-2 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(B) *Two-family.*

- (1) Minimum lot area: minimum of 7,500 ft² for two-family dwelling unit.
- (2) Minimum lot width and lot frontage: 75 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum depth of rear setback: 25 feet.
- (6) Minimum width of side setback:
 - (a) Internal lot: six feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%.
 - (b) Minimum area of each dwelling unit: 800 (two-family unit = 1,600 ft²; two units of 800 ft² each).
- (8) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) Minimum depth from the edge of the main building: 12 feet.

- (9) Maximum height of structures: 35 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Height, Area, Yard and Lot Coverage Requirements
Two-Family Dwelling

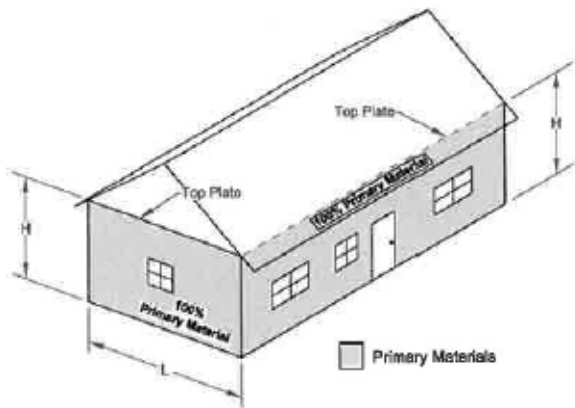


A Two-Family, R-2 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.5.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed exclusively of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (3) Existing dwellings expanding the total square footage of the building by more than 50%, or proposing to use a material consistent with the primary structure for any expansion must use primary materials, Section 10.E(1): Exterior Building Material Standard—Primary Materials, for the expansion area.

5.4.F Exterior Building Material Standards



NEW CONSTRUCTION

Total Exterior Wall shall equal,
100% of Primary Materials.
(Windows & Doors are excluded)

EXISTING STRUCTURES

1. Expanding or modifying the footage of the building 50% or less, may use the same exterior material as the existing primary building. If not available, approval is need from the Community Development Director.
2. Expanding or modifying the footage of the building 50% or more, must use 100% Primary Materials of the exterior wall.
3. Windows and Doors are excluded.

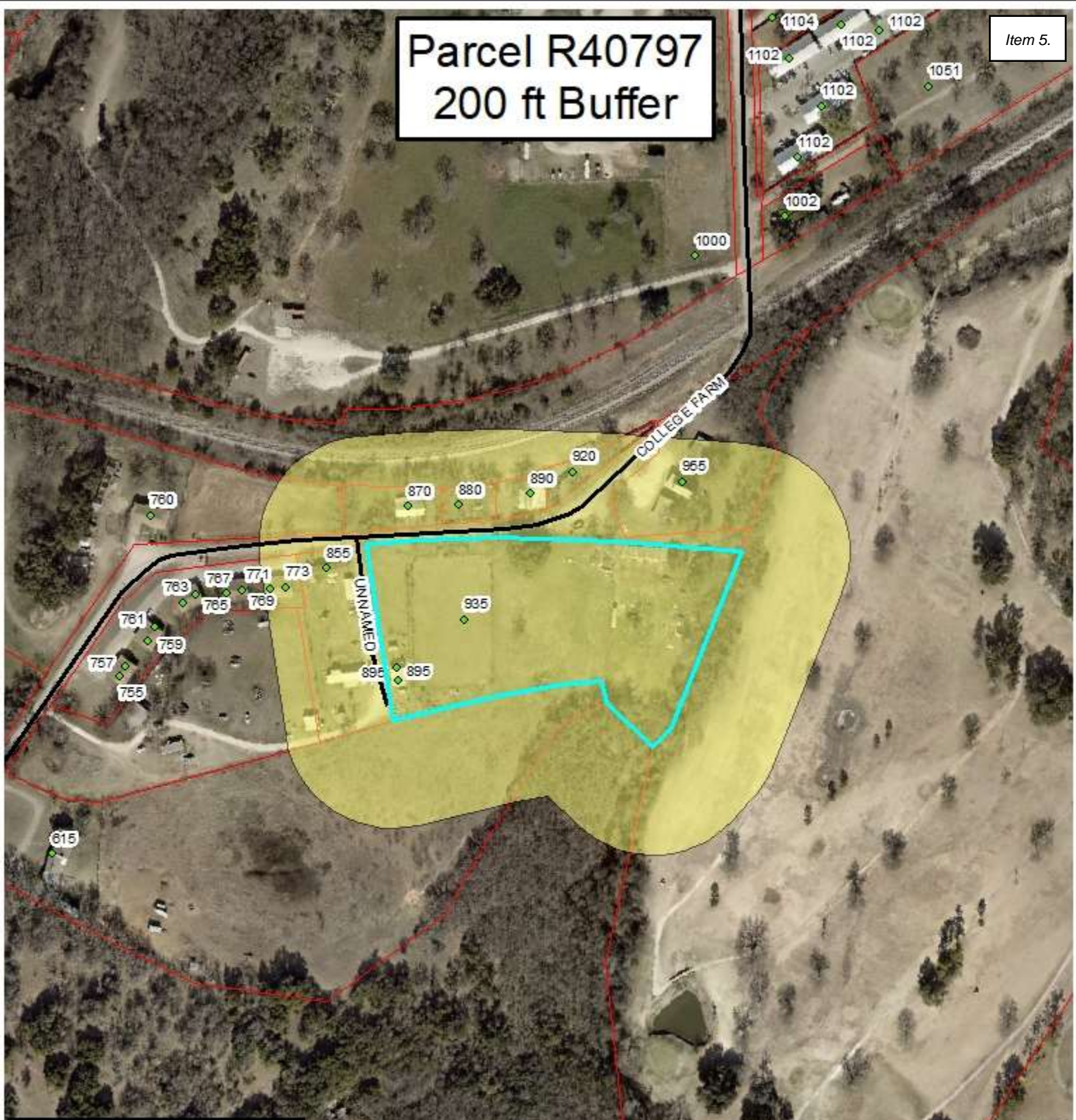
(Ord. 2011-26, passed 12-6-2011)

ALTERNATIVES:

- 1) Recommend the City Council approve the request for rezoning.
- 2) Recommend the City Council deny the request for rezoning.

Parcel R40797 200 ft Buffer

Item 5.



Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels

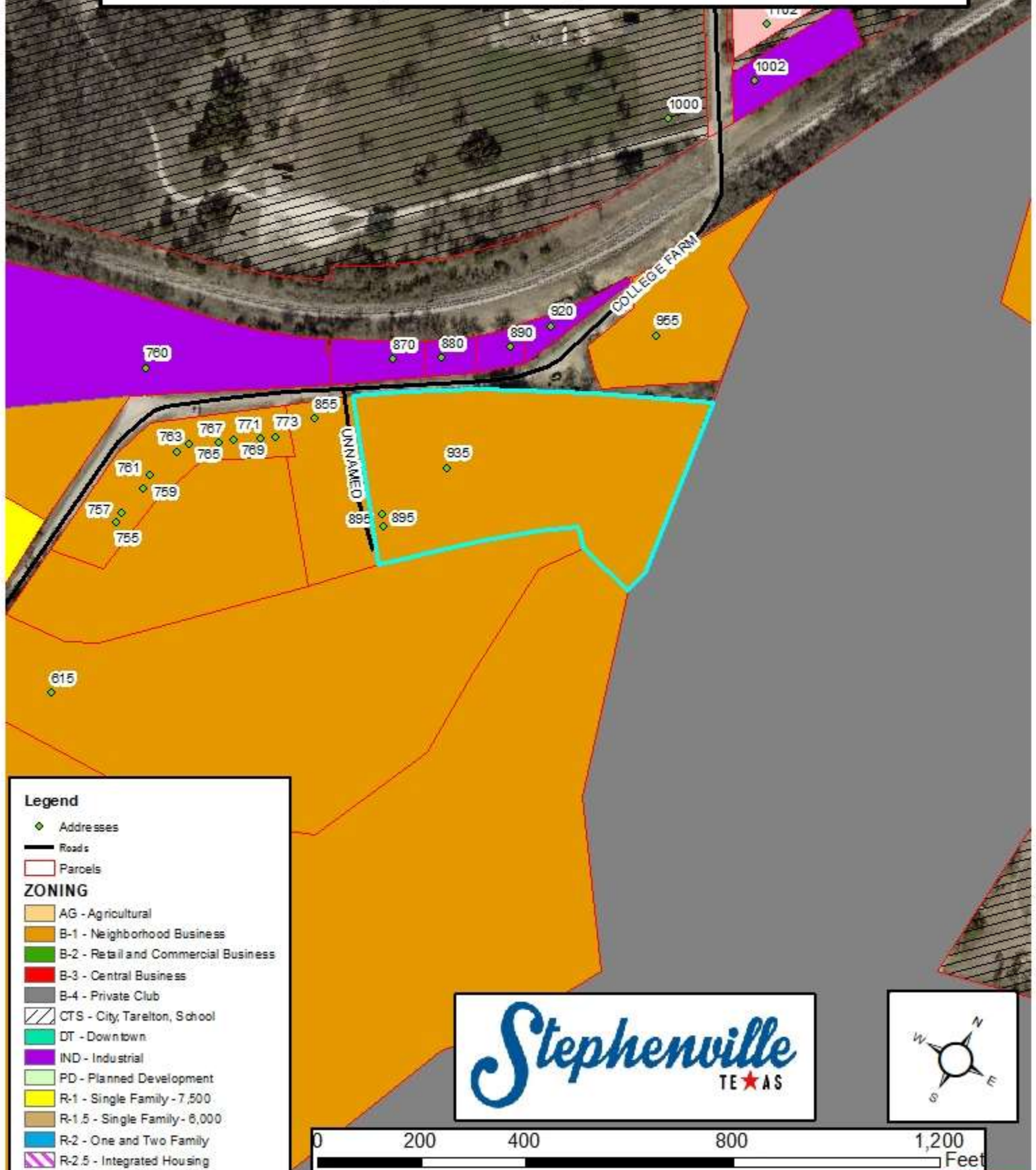


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R40797

Current Zoning - B1 Neighborhood Business

Item 5.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

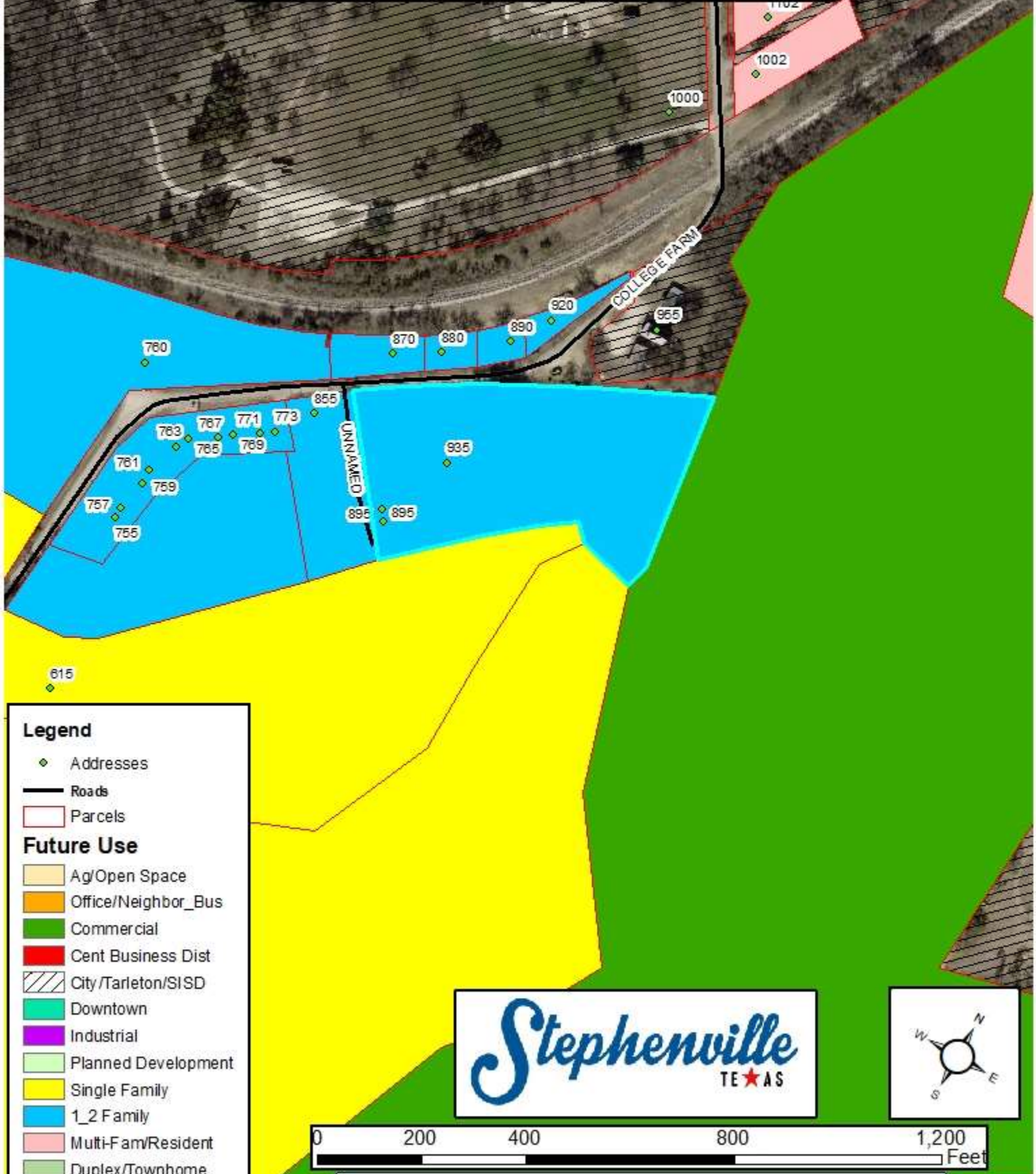


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Parcel R40797

Future Land Use - 1&2 Family

Item 5.



Legend

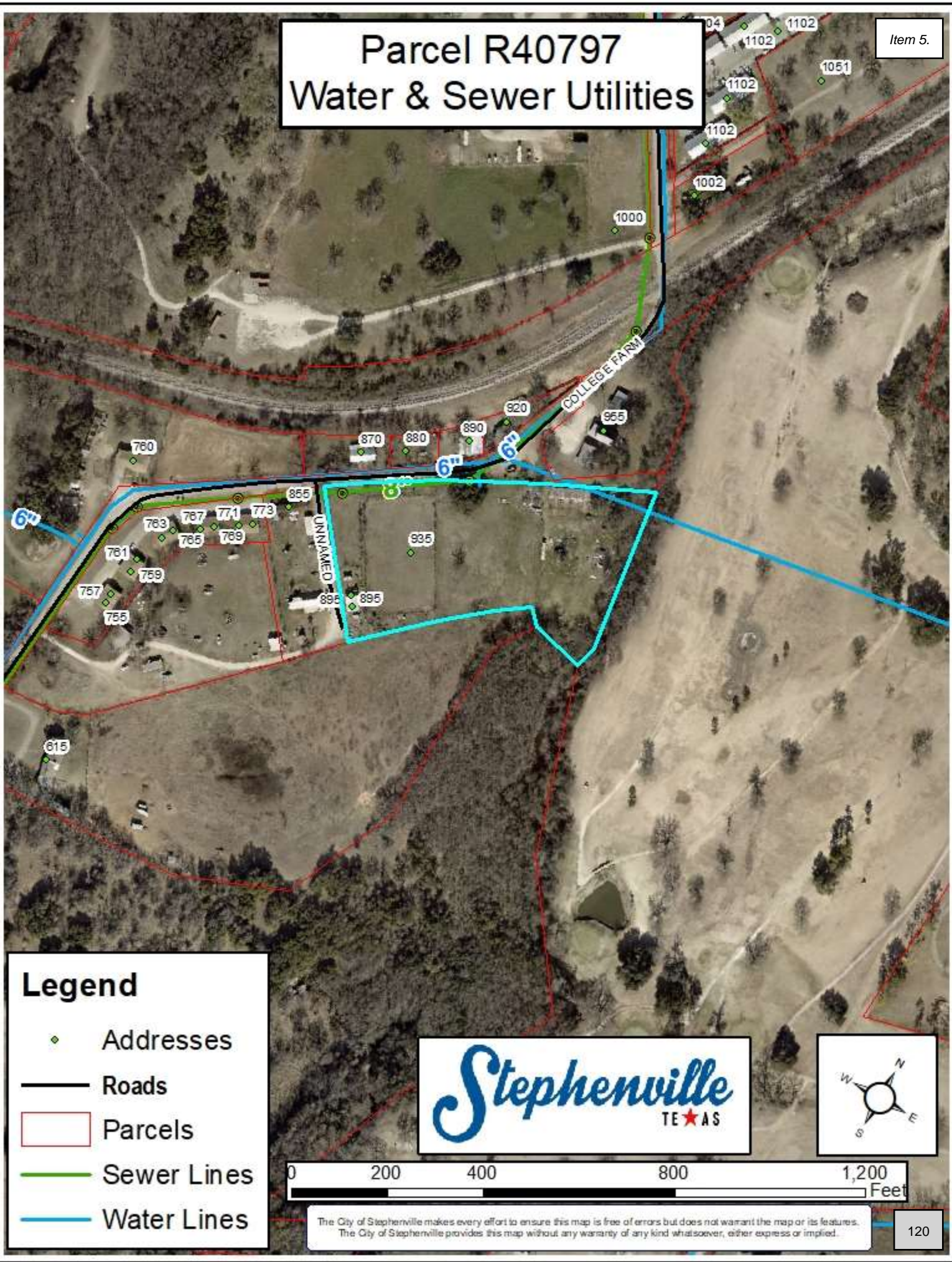
- ◆ Addresses
 - Roads
 - ▭ Parcels
- #### Future Use
- ▭ Ag/Open Space
 - ▭ Office/Neighbor_Bus
 - ▭ Commercial
 - ▭ Cent Business Dist
 - ▭ City/Tarleton/SISD
 - ▭ Downtown
 - ▭ Industrial
 - ▭ Planned Development
 - ▭ Single Family
 - ▭ 1_2 Family
 - ▭ Multi-Fam/Resident
 - ▭ Duplex/Townhome
 - ▭ Manufact Homes



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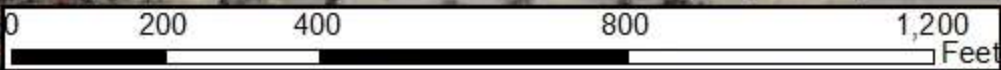
Parcel R40797 Water & Sewer Utilities

Item 5.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Sewer Lines
- Water Lines



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Parcel R40797 Address List

Item 5.

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|--------------------------|---------------------------------|-----------------------------|--------------|-------|------------|
| R000029922 | 755 COLLEGE FARM RD | BACHUS JAMES O FAMILY TRUST | PO BOX 552 | STEPHENVILLE | TX | 76401 |
| R000014966 | 0 N PADDOCK & VANDERBILT | FORT WORTH & WESTERN RAILROAD | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH | TX | 76116-5738 |
| R000040797 | 935 COLLEGE FARM RD | GALE RONALD | 895 COLLEGE FARM RD APT 11 | STEPHENVILLE | TX | 76401 |
| R000029920 | 605 COLLEGE FARM RD | KOCH JUDITH FREY | PO BOX 386 | STEPHENVILLE | TX | 76401 |
| R000029924 | 615 COLLEGE FARM RD | LIEB RICHARD J & REBECCA R LIEB | 615 COLLEGE FARM RD | STEPHENVILLE | TX | 76401 |
| R000072743 | 855 COLLEGE FARM RD | OXFORD WILLIAM H | 159 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029923 | 0 COLLEGE FARM RD | OXFORD WILLIAM H | PO BOX 1298 | STEPHENVILLE | TX | 76401 |
| R000029950 | 760 COLLEGE FARM RD | REED DEBORAH | 760 COLLEGE FARM RD | STEPHENVILLE | TX | 76401 |
| R000029948 | 880 COLLEGE FARM RD | RUST WADE | 524 PR1709 | GORDON | TX | 76453 |
| R000029947 | 890 COLLEGE FARM RD | RUST WADE | 524 PR1709 | GORDON | TX | 76453 |
| R000029946 | 920 COLLEGE FARM RD | RUST WADE | 524 PR1709 | GORDON | TX | 76453 |
| R000029943 | 0 COLLEGE FARM RD | ST JOHN BAPTIST CHURCH | 350 E CROW ST | STEPHENVILLE | TX | 76401-4412 |
| R000029945 | 870 COLLEGE FARM RD | STEWART DENNY J | 870 COLLEGE FARM RD | STEPHENVILLE | TX | 76401 |
| R000029917 | 1089 TEJAS LN | THIEMANN STEVEN DALE | PO BOX 326 | STEPHENVILLE | TX | 76401-0000 |



STAFF REPORT

SUBJECT: Case No.: RZ2022-013

Applicant Marc Pace, representing Stephenville Rentals LLC, is requesting a rezone of property located at 200 Clark Lane, Parcel R29908, being Block 85, Lot 1 & 2A (PTS OF) of the City Addition to the City of Stephenville, Erath County, Texas, from Multifamily Residential District (R-3) to Integrated Housing District (R-2.5).

DEPARTMENT: Development Services

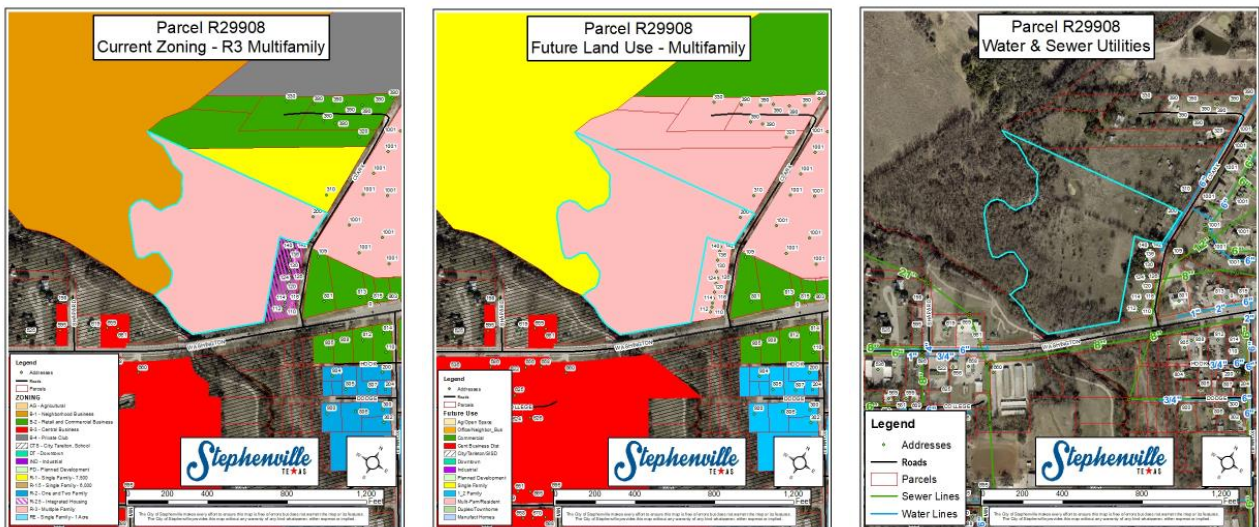
STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

The future land use for this parcel is multifamily. The applicant is requesting R-2.5 zoning to construct townhomes that will be individually platted. The project will be at a lower density than that of multifamily. Staff recommends approval of the rezone and the site plan as submitted. A final plat will be presented for approval once public improvements are installed and accepted.

BACKGROUND:

PROPERTY PROFILE:



Sec. 155.4.03. General subdivision and platting procedures.

- A. *Plats Required for Land Subdivision.* A Preliminary Plat or Minor Plat shall be approved prior to any land division that is subject to these regulations and prior to commencement of any new development.
- B. *Replats and Amending Plats.*

1. *Replat.* A Replat, in accordance with State law, and the provisions of Section 4.08 shall be required any time a platted, recorded lot is further divided or expanded, thereby changing the boundary and dimensions of the property.
2. *Amending Plat.* In the case of minor revisions to recorded Plats or lots, an Amending Plat may also be utilized if in accordance with Section 4.09.

C. *Zoning.*

1. *Conformance with Existing Zoning.* All Applications shall be in conformance with the existing zoning on property inside the City Limits.
2. *Request to Rezone First.* If an Applicant seeks to amend the zoning for the property, the request to rezone the land shall be submitted and approved prior to acceptance of an Application for filing of a plat, unless as otherwise provided below.
 - a. The Applicant may request approval from the City Administrator to submit an application simultaneous with the zoning change request, in which case the Application for the zoning amendment shall be acted upon first, provided that the Application is accompanied by a properly executed Waiver of Right to 30-Day Action (due to the more lengthy time frame necessary to advertise and process zoning Applications).
 - b. In the event that the requested zoning amendment is denied, the Plat Application shall also be rejected or denied.
3. *Zoning Ordinance Site Plan Approval.* Where Site Plan approval is required by the Zoning Ordinance prior to development, no Application for a Final Plat approval shall be accepted for filing until a Site Plan has been approved for the land subject to the proposed Plat.

Sec. 154.05.8 Integrated housing district (R-2.5).

5.8.A Description. This integrated residential housing district provides for medium-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, patio homes, condominiums and townhomes. Generally, this district is for developments resulting in individually platted homes or dwelling units and generally, owner occupied. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the aesthetic and functional well being of the intended district environment. The Integrated Housing District will be applicable to for all Residential Districts, B-1 Neighborhood Business District (B-1), Central Business District (B-3), and Downtown District (DT).

5.8.B Permitted Uses.

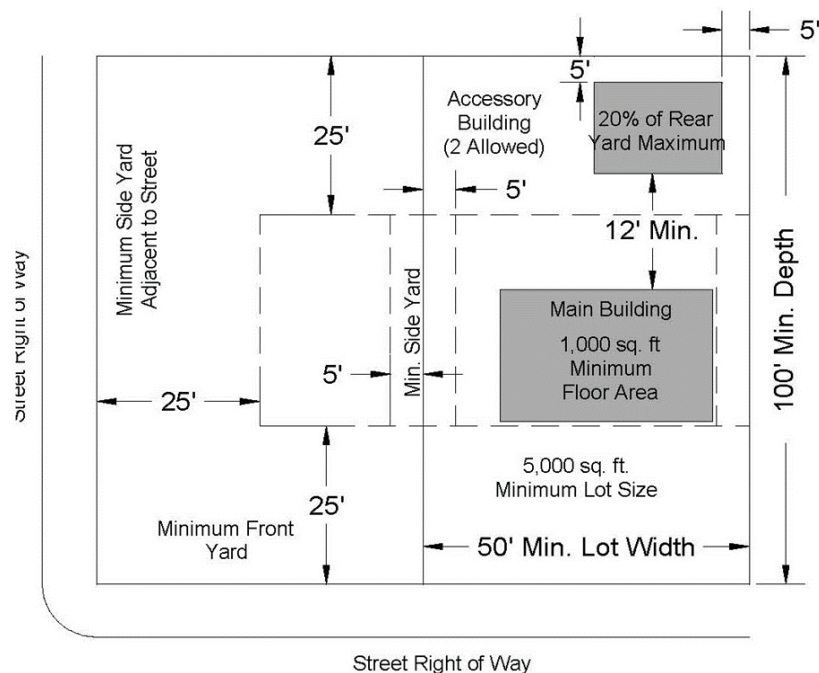
1. Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
2. Two-to-four family dwellings, with each family limited as in division (1) above;
3. Townhouse dwellings, with each family limited as in division (1) above;
4. Condominium dwellings, with each family limited as in division (1) above;

5.8.C Conditional Uses.

1. Home occupation;
2. Common facilities as the principal use of one or more platted lots in a subdivision;
3. Adult and/or children's day care centers;
4. Foster group home; and
5. Residence hall.

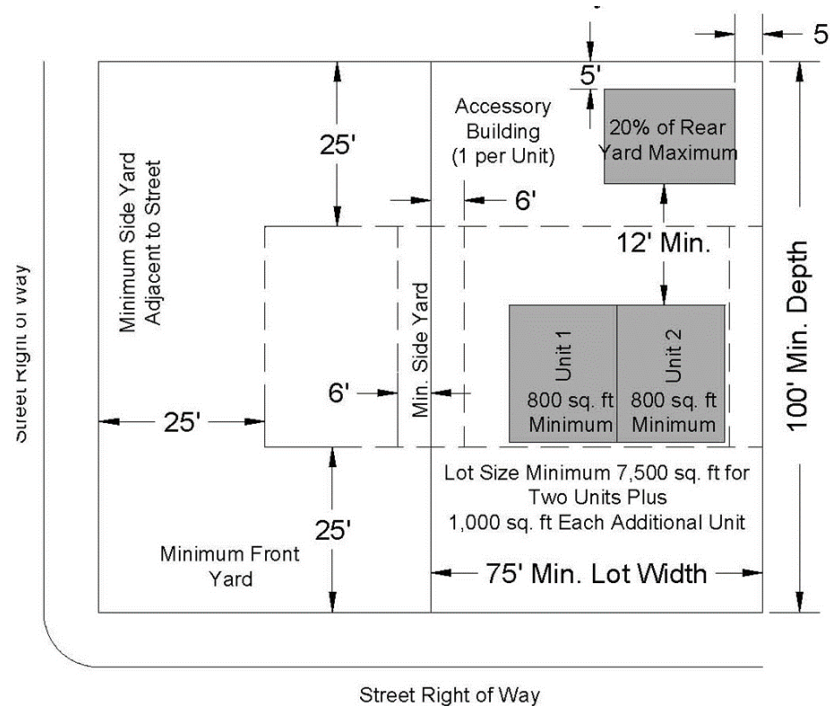
5.8.D Height, Area, Yard and Lot Coverage Requirements.

- A. Single family dwelling.
1. Minimum lot area: 3,000 ft².
 2. Minimum lot width and lot frontage: 50 feet.
 3. Minimum lot depth: 60 feet.
 4. Minimum depth of front setback: 15 feet.
 5. Minimum depth of rear setback: 15 feet.
 6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
 7. Building size:
 - a. Maximum coverage as a percentage of lot area: 40%.
 - b. Single family dwelling: 1,000 ft².
 8. Accessory buildings:
 - a. Maximum accessory buildings coverage of rear yard: 20%.
 - b. Maximum number of accessory buildings: one.
 - c. Minimum depth of side setback: five feet.
 - d. Minimum depth of rear setback: five feet.
 - e. Minimum depth from the edge of the main building: 12 feet.
 9. Maximum height of structures: 35 feet.
 10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



- B. Two-to-four family.

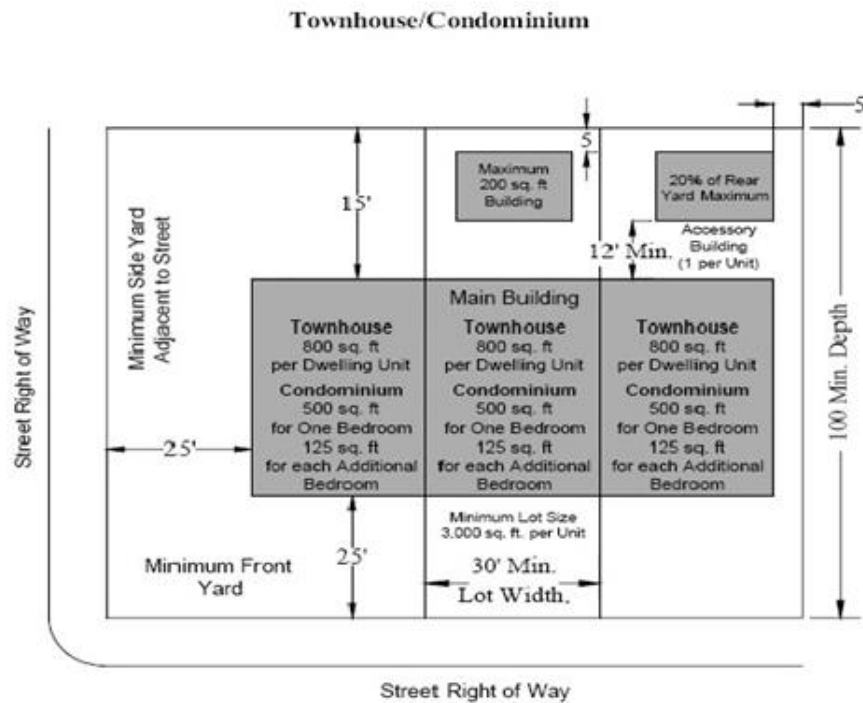
1. Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² for each additional dwelling unit.
2. Minimum lot width and lot frontage: 75 feet.
3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: six feet.
 - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
 - a. Maximum coverage as a percentage of lot area: 40%.
 - b. Minimum area of each dwelling unit: 800 ft².
8. Accessory buildings:
 - a. Maximum accessory building coverage of rear yard: 20%.
 - b. Maximum area of each accessory building: 200 ft².
 - c. Maximum number of accessory buildings: one per unit.
 - d. Minimum depth of side setback: five feet.
 - e. Minimum depth of rear setback: five feet.
 - f. Minimum depth from the edge of the main building: 12 feet.
9. Maximum height of structures: 35 feet.
10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



C. Townhouse/Condominium.

1. Minimum lot area: 3,000 ft² per unit.
2. Minimum average lot width and lot frontage: 30 feet.

3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
 - a. Maximum building coverage as a percentage of lot area: 40%
 - b. Minimum area of each Townhouse dwelling unit: 800 ft².
 - c. Minimum area of each Condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
8. Accessory buildings:
 - a. Maximum accessory building coverage of rear yard: 20%.
 - b. Maximum area of each accessory building: 200 ft².
 - c. Maximum number of accessory buildings: one per unit.
 - d. Minimum depth of side setback: five feet.
 - e. Minimum depth of rear setback: five feet.
 - f. Minimum depth from the edge of the main building: 12 feet.
9. Maximum height of structures: 35 feet.
10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.
11. Maximum density of Townhome or Condominium Housing within the R-2.5 District shall not exceed 14 units per acres with each unit platted separately.
12. Deviations from the required standards within the R-2.5 district will be subject to site plan review by the Planning and Zoning Commission and subsequent approval by City Council. Site plans should include renderings with elevations, a finish schedule and incorporate architectural designs that complement the existing structures of the area of integration.



5.8.E Parking Regulations. Lots in this District shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 154.11 *Parking spaces for vehicles* of this ordinance.

(Ord. No. 2021-O-28 , § 1, passed 9-7-2021)

FACTORS TO CONSIDER:

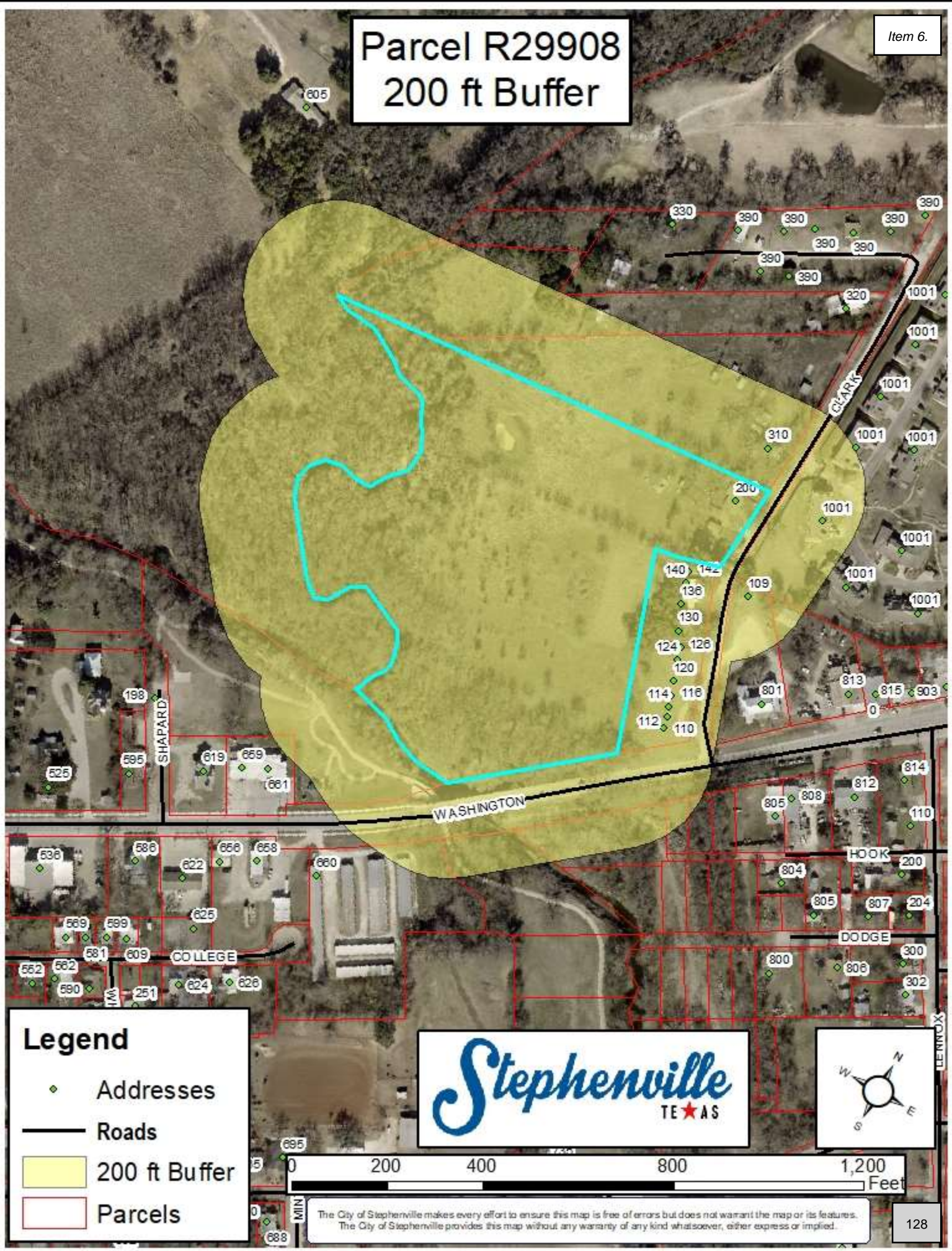
- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

- 1) Recommend the City Council approve the request for rezoning.
- 2) Recommend the City Council deny the request for rezoning.

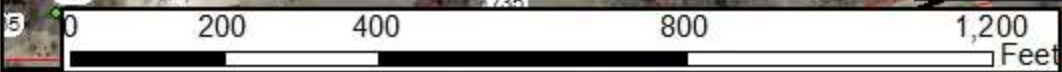
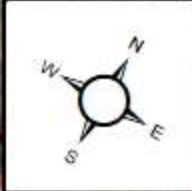
Parcel R29908 200 ft Buffer

Item 6.



Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29908

Current Zoning - R3 Multifamily

Item 6.

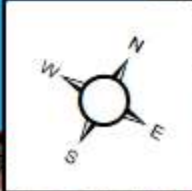


Legend

- ◆ Addresses
- Roads
- ▭ Parcels

ZONING

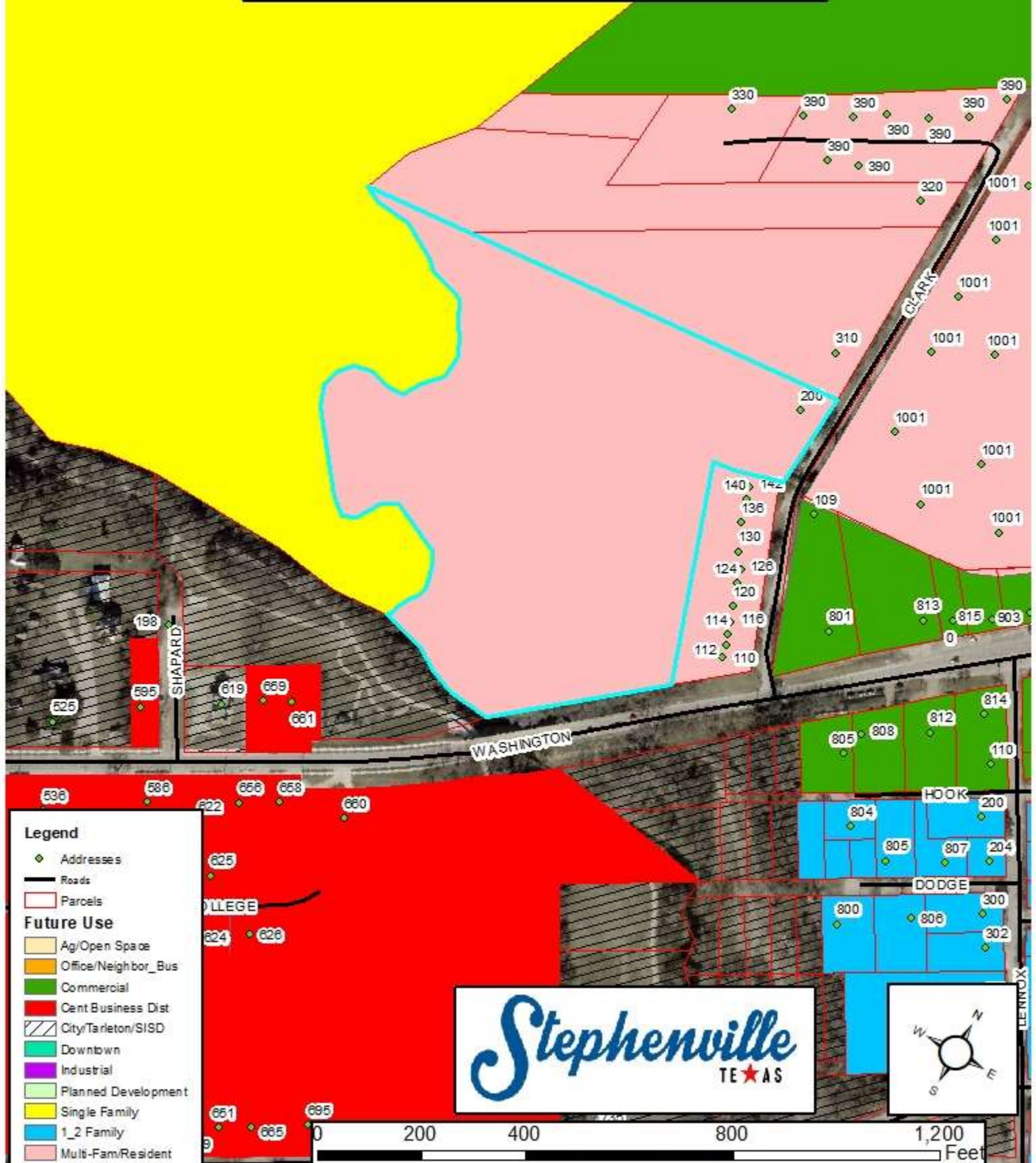
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 8,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



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Parcel R29908 Future Land Use - Multifamily

Item 6.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

Future Use

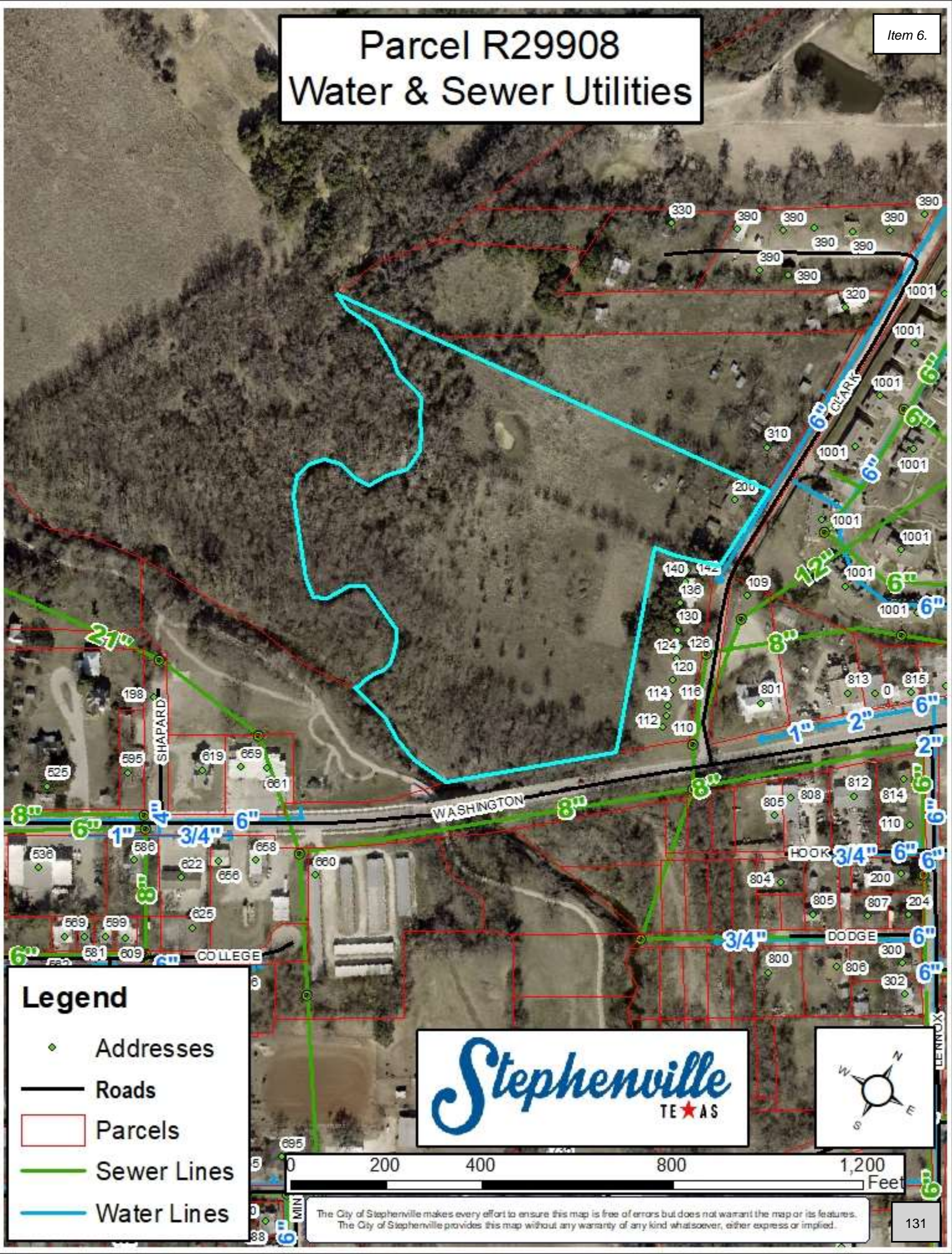
- ▭ Ag/Open Space
- ▭ Office/Neighbor_Bus
- ▭ Commercial
- ▭ Cent Business Dist
- ▭ City/Tarleton/SISD
- ▭ Downtown
- ▭ Industrial
- ▭ Planned Development
- ▭ Single Family
- ▭ 1,2 Family
- ▭ Multi-Fam/Resident
- ▭ Duplex/Townhome
- ▭ Manufact Homes



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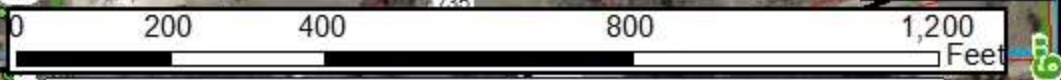
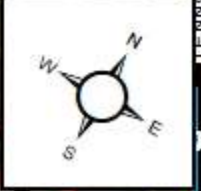
Parcel R29908 Water & Sewer Utilities

Item 6.



Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



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Parcel R29908 Address List

Item 6.


| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|---------------------|---|------------------|--------------|-------|------------|
| R000029896 | 801 E WASHINGTON | AMERICAN LEGION POST#240 | PO BOX 184 | STEPHENVILLE | TX | 76401-0000 |
| R000029903 | 1001 E WASHINGTON | AUGUSTA HILLS L P | 15 LAKE DRIVE | ROUND ROCK | TX | 78665 |
| R000029908 | 200 CLARK LN | BERRICHE RIDHA & NEZIHA | 8617 JONQUIL DR | WACO | TX | 76708 |
| R000063366 | 110 CLARK LN | BOSQUE CLARK LLC | 159 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000029910 | 310 CLARK LN | CHANDLER WILLIAM HOWARD & HEIDI N OLSEN | PO BOX 1923 | STEPHENVILLE | TX | 76401 |
| R000028702 | 0 E WASHINGTON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000028701 | 0 E WASHINGTON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029895 | 0 E WASHINGTON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000070026 | 0 E WASHINGTON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000051112 | 0 E WASHINGTON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000033329 | 661 E WASHINGTON | DERRICK GREGORY W & MARCIA G | PO BOX 891 | STEPHENVILLE | TX | 76401 |
| R000070120 | 660 E WASHINGTON | HICO PARTNERS LP | PO BOX 70 | HICO | TX | 76457 |
| R000029920 | 605 COLLEGE FARM RD | KOCH JUDITH FREY | PO BOX 386 | STEPHENVILLE | TX | 76401 |
| R000029914 | 320 CLARK LN | PHELPS SHIRLEY | 320 CLARK LANE | STEPHENVILLE | TX | 76401-0000 |
| R000029898 | 813 E WASHINGTON | ROBITAILLE CHARLES & MARILYN | 300 E SOUTH LOOP | STEPHENVILLE | TX | 76401-0000 |
| R000029912 | 0 CLARK LN | WEIR BILLY RAY JR | PO BOX 1351 | STEPHENVILLE | TX | 76401 |
| R000029913 | 330 CLARK LN | WEIR BILLY RAY JR | PO BOX 1351 | STEPHENVILLE | TX | 76401 |



FRONT ELEVATION



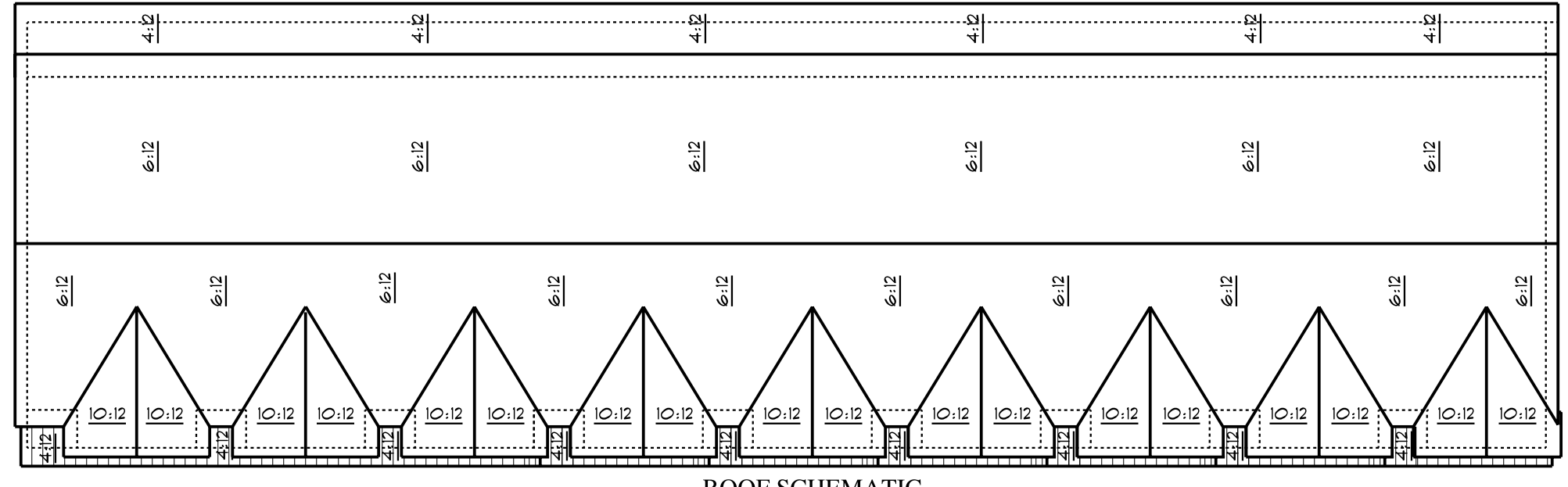
REAR ELEVATION


 3337 WEST 7TH STREET, SUITE 7
 FORT WORTH, TEXAS 76107
 (817) 336-1111
 www.planstyles.com

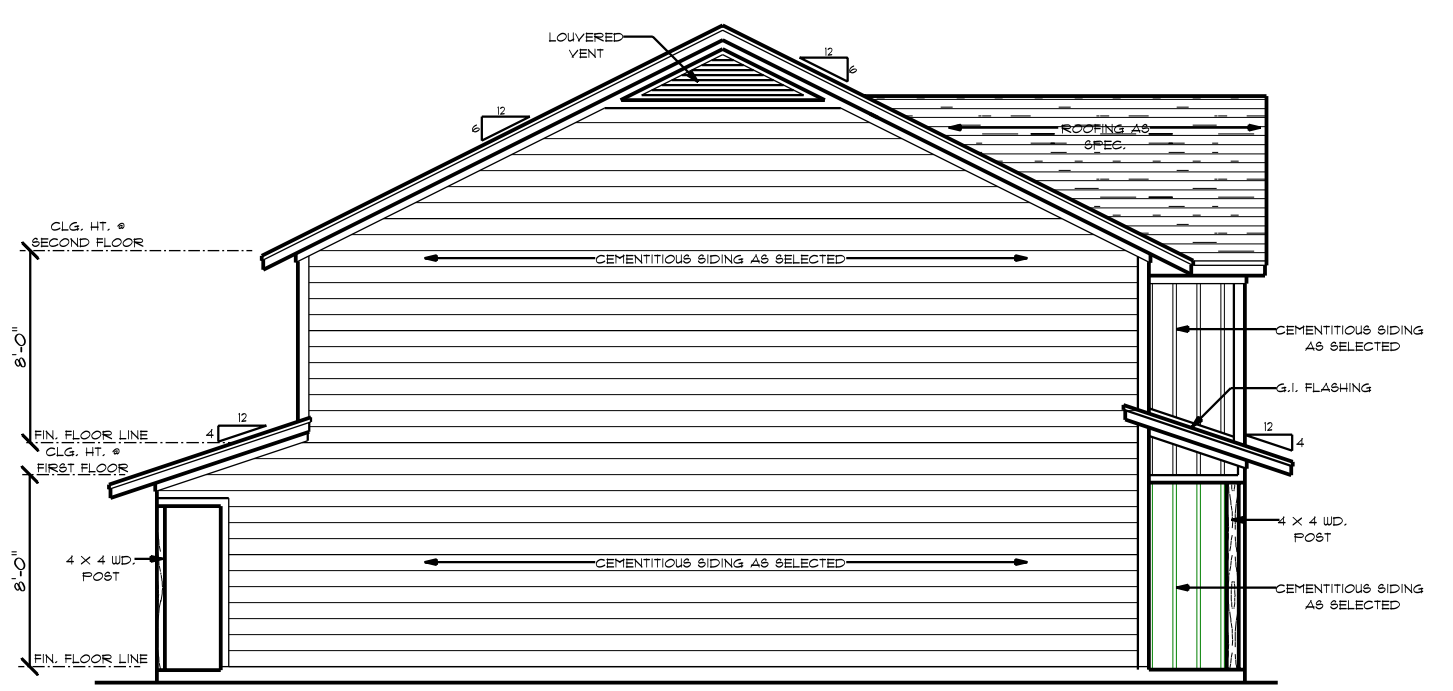
PLAN STYLES
 KERRY DICK, AIBD

3225 S. LILLIAN AVE.
MARC PACE
 CUSTOM HOMES, LLC

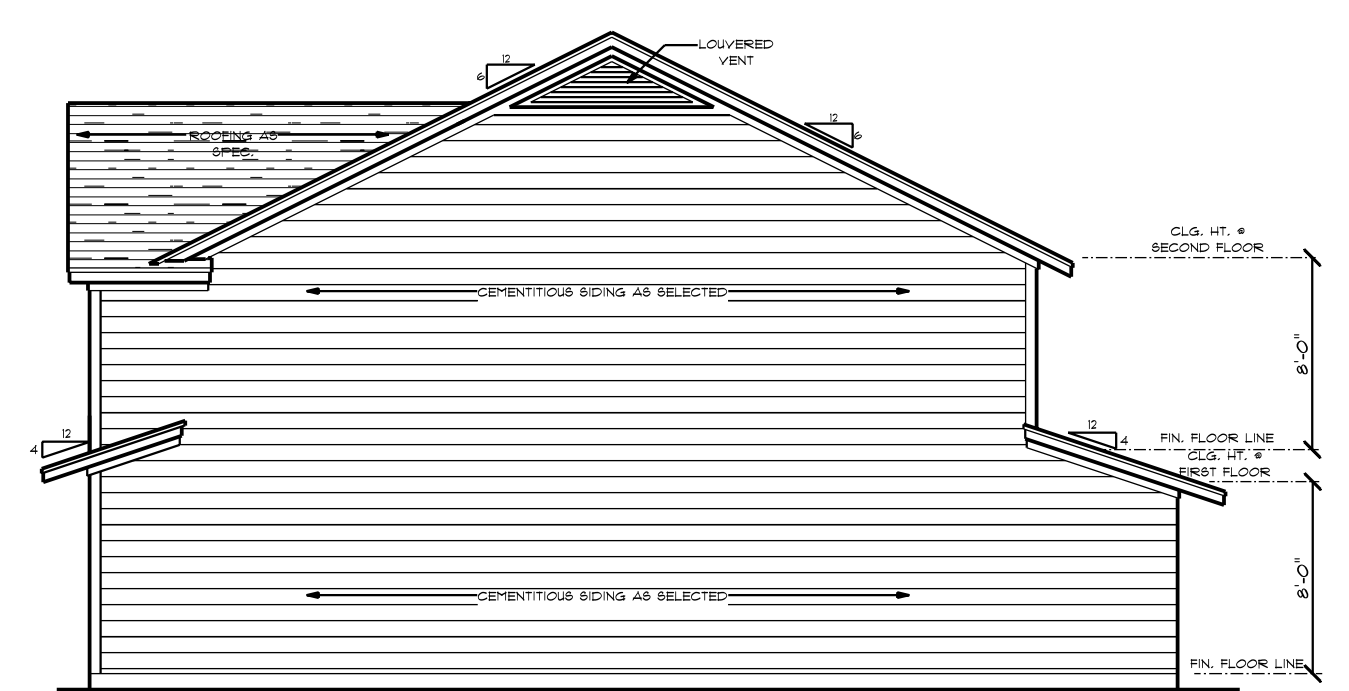
KD-9-140721
 SHEET
5




ROOF SCHEMATIC
SCALE: 1/8" = 1'-0"



LEFT ELEVATION

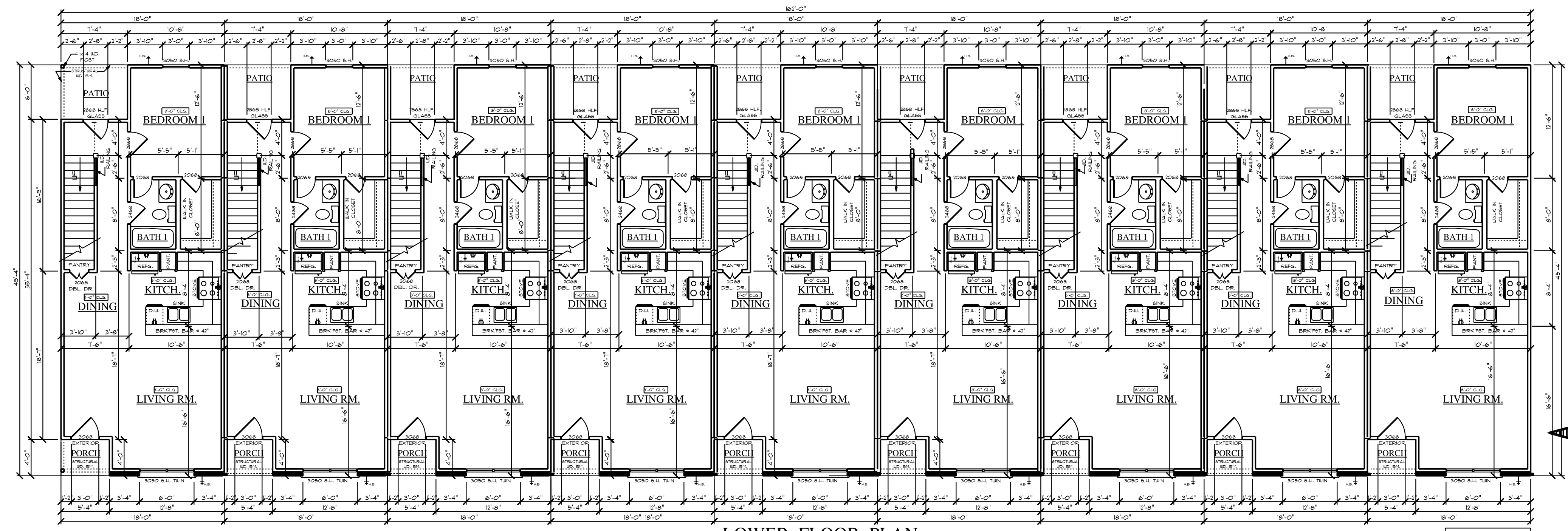


RIGHT ELEVATION


 3537 WEST 7TH STREET, SUITE 7
 FORT WORTH, TEXAS 76107
 (817) 763-4555 (800) 384-6602
 www.planstyles.com


KD-9-140721 422 S. LILLIAN AVE.
MARCFACE
 CUSTOM HOMES, LLC

SHEET
5
 OF 6



LOWER FLOOR PLAN

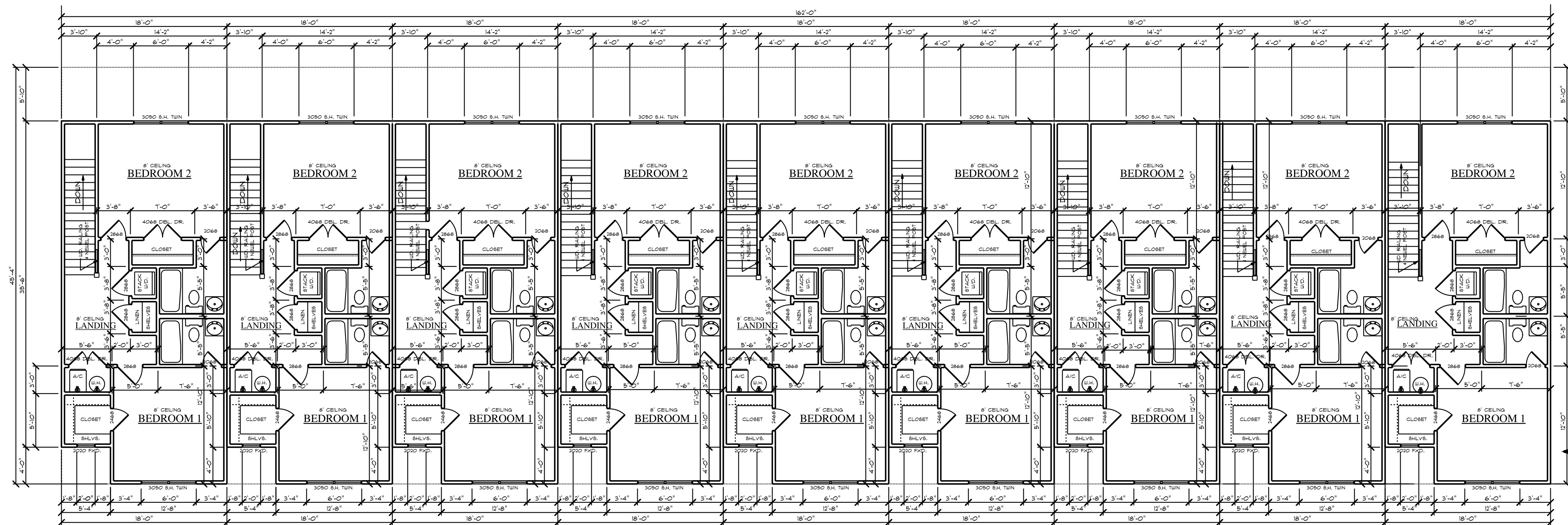
LOWER LIVING 750 SQ. FT.
 UPPER LIVING 600 SQ. FT.
 TOTAL LIVING 1350 SQ. FT.
 PATIO 40 SQ. FT.
 PORCH 20 SQ. FT.
 (PER EACH UNIT)


 337 WEST 7TH STREET, SUITE 7
 FORT WORTH, TEXAS 76102
 (817) 885-8844
 www.kendaltdesigns.com

PLAN STYLES
 KERRY DICK, AIBD

422 S. LILLIAN AVE.
 MARC PACE
 CUSTOM HOMES, LLC

KD-9-140721
 SHEET 1



UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"

| | |
|---|---|
| | 337 WEST 7TH STREET, SUITE 7 FORT WORTH, TEXAS 76107 (817) 335-8800 WWW.AIBDREGISTER.COM |
| | PLAN STYLES KERRY DICK AIBD |
| 423 S. LILLIAN AVE. MARC PACE CUSTOM HOMES, LLC | KD-9-1-140721 |
| SHEET 2 | |

ZONING AMENDMENT APPLICATION

CITY OF STEPHENVILLE

MARC PACE

1. **APPLICANT/OWNER:** FIFTH AVENUE PARTNERS, LLC MANAGER
First Name Last Name

ADDRESS: 819 OLD ANNETT RD 817-501-9812
Street/P.O. Box Phone No.

ALCO TX 76008
City State Zip Code

mpace37@att.net
Email Address

2. **PROPERTY DESCRIPTION:** 11.87 Acres Located at 200 Clark Lane

3. **LEGAL DESCRIPTION:** 1 & 2A 85 S2600 City Addition
Lot(s) Block(s) Addition

4. **PRESENT ZONING:** R-3 Multifamily
Zoning District Title

PROPOSED ZONING: R2.5 Townhomes
Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** _____

See attached site plan for proposed townhome development. Note, these townhomes will be platted as individual lots.

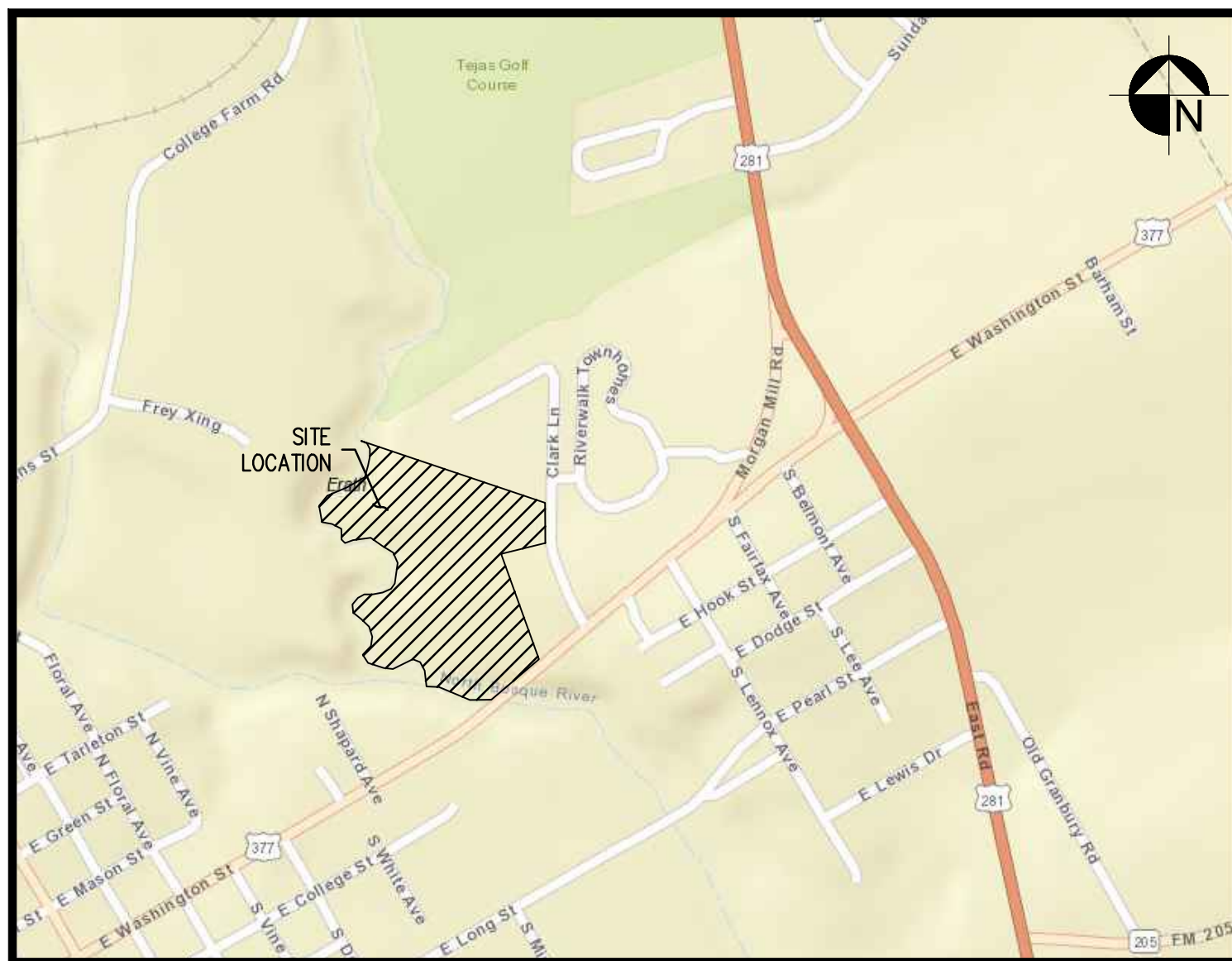
(Attach an additional sheet if necessary)

[Signature]
Signature of Applicant

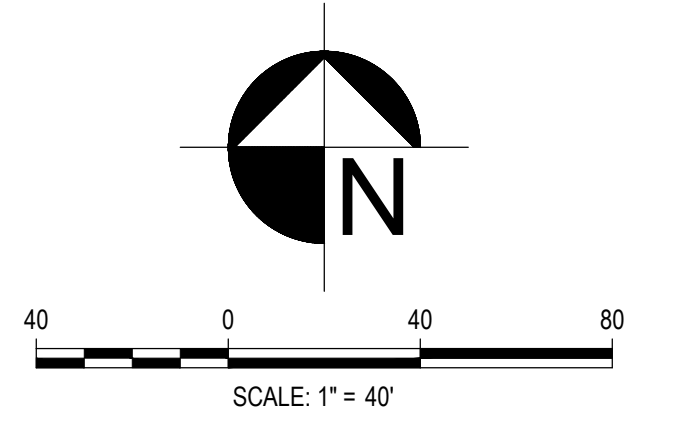
5/16/22
Date

Signature of City Official Received

Date Received



LOCATION MAP
N.T.S.



- GENERAL NOTES:**
1. ALL DIMENSIONS ARE TO FACE OF CURB WHERE APPLICABLE UNLESS OTHERWISE NOTED.
 2. TOTAL PROPOSED UNITS = 104
 3. TOTAL PARKING SPACES = 259 SPACES (2.49 PER UNIT)

PRELIMINARY SITE PLAN - OPTION 2
 CLARK LANE TOWNHOMES
 STEPHENVILLE, TEXAS

811 Know what's below.
 Call before you dig.
 CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.





STAFF REPORT

SUBJECT: Case No.: PD2022-007

Applicant Taylor Kanute, representing LK Capital Investments, LLC, is requesting a rezone of property located at 415 E. Tarleton, Parcel R29529, being Block 56, Lot 2, of City Addition to the City of Stephenville, Erath County, Texas, from Central Business District (B-3) to Planned Development (PD). The applicant will present a conceptual plan.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

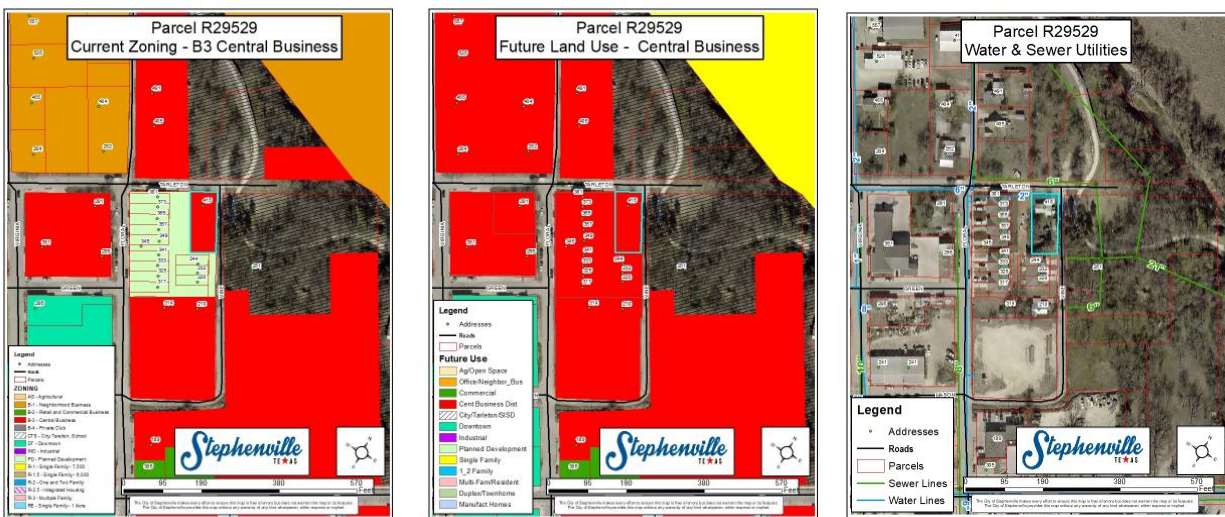
RECOMMENDATION:

Review and make recommendations to the conceptual plan. The applicant will return for the rezone to a Planned Development District and the approval of the development plan.

BACKGROUND:

Applicant is proposing a rezone from R3 to PD and the eventual simultaneous replat of this parcel and adjacent property that is already zoned PD. This PD will 100% reflect the PD of the adjacent property that was approved two years ago which is owned by the applicant LK Capital Investments, LLC. The purpose for the rezone and replat is to be able to construct a five unit townhome building consistent with what LK Capital has already built on the adjacent site. Once these units are built they will be sold to individual purchasers. Price points are anticipated to in the \$250-275,000 price range.

PROPERTY PROFILE:



Sec. 154.08. Planned development district (PD).

8.A Description.

- (1) Planned development districts are designed for greater flexibility and discretion in the application of residential and non-residential zoning and for increased compatibility and the more effective mitigation of potentially adverse impacts on adjacent land than is possible under standard district regulations. It is recognized that it is desirable for certain areas of the city to be developed in accordance with development plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.
- (2) Improvements in a "PD" District are subject to conformance with a development plan approved by the City Council on Planning and Zoning Commission recommendation and after public hearing thereon. No development plan may increase gross density in excess of that allowed by the base district.

8.B Permitted Uses. In a PD Development District, no land shall be used and no building shall be installed, erected for/or converted to any use other than a hereinafter provided.

NON-RESIDENTIAL PLANNED DEVELOPMENTS. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Non-residential uses are situated such that an appreciable amount of land is available for open space or joint use as parking space and is integrated throughout the planned development;
- (3) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (4) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional non-residential projects; and
- (5) The project provides a compatible transition between adjacent existing single-family residential projects and provides a compatible transition for the extension of future single-family projects into adjacent undeveloped areas.

RESIDENTIAL PLANNED DEVELOPMENT. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Dwelling units are situated such that an appreciable amount of land for open space is available and is integrated throughout the planned development;
- (3) The project utilizes an innovative approach in lot configuration and mixture of single-family housing types;
- (4) Higher densities than conventional single-family projects of the same acreage is achievable with appropriate buffering between existing conventional single-family developments and increased open space;
- (5) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (6) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional single-family projects; and

- (7) The project provides a compatible transition between adjacent existing conventional single-family residential projects and provides a compatible transition for the extension of future conventional single-family projects into adjacent undeveloped areas.

8.C Prohibited Uses.

- (1) Any building erected or land used for other than the use shown on the Planned Development Site Plan, as approved by the City Council.
- (2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimensions; and/or lot width, or exceeds the maximum height, building coverage or density per gross acreage as shown in the development's recorded Planned Development Site Plan, as approved by City Council.
- (3) Any use deemed by the City Council as being detrimental to the health, safety or general welfare of the citizens of Stephenville.

8.D Ownership. An application for approval of a Planned Development Plan under the Planned Development District regulations may be filed by a person having legal ownership of the property to be included in the Development Plan. In order to ensure unified planning and development of the property, the applicant shall provide evidence, in form satisfactory to the City Attorney, prior to final approval of the Development Plan, that the property is held in single ownership or is under single control. Land shall be deemed to be held in single ownership or under single control if it is in joint tenancy, tenancy in common, a partnership, a trust or a joint venture. The Development Plan shall be filed in the name(s) of the record owner(s) of the property, which shall be included in the application.

8.E Development Schedule.

- (1) An application for a Planned Development District shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, adopted and approved by the City Council, shall become part of the Planned Development Ordinance and shall be adhered to by the owner, developer and their assigns of successors in interest.
- (2) Annually, upon the anniversary date, or more frequently if required, the developer shall provide a written report to the Planning and Zoning Commission concerning the actual development accomplished as compared with the development schedule.
- (3) The Planning and Zoning Commission may, if in its opinion the owner or owners of the property are failing or have failed to meet the approved development schedule, initiate proceedings to amend the Official Zoning map or the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. After the recommendation of the Planning and Zoning commission and for good cause shown by the owner and developer, the City Council may extend the development schedule as may be indicated by the facts and conditions of the case.

8.F Plat Requirements. No application for a building permit for the construction of a building or structure shall be approved unless a plat, meeting all requirement of the City of Stephenville has been approved by the City Council and recorded in the official records of Erath County.

8.G Concept Plan. The applicant for any PD Planned Development shall submit a concept plan to the Planning and Zoning Commission for review prior to submitting a Development Plan. The concept plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

8.H Development Plan Approval Required. No building permit or certificate of occupancy shall be issued and no use of land, buildings or structures shall be made in the "PD" District until the same has been approved as

part of a development plan in compliance with the procedures, terms and conditions of this section of the ordinance.

8.I Approval Procedures.

- (1) An application for development plan approval shall be filed with the Director of Community Development accompanied by a development plan.
- (2) The procedures for hearing a request for a zoning change to "PD" shall be the same as for a requested change to any other district as set forth Section 20 of the Zoning Ordinance.
- (3) Any substantive revision to a development plan between the public hearing before the Planning and Zoning Commission and the public hearing before the City Council shall necessitate the development plan being referred back to the Planning and Zoning Commission for review and evaluation unless the revision constitutes a minor change as provided below, or the change was condition of the approval.
- (4) Any revisions to the development plan after the public hearing before the City Council shall be submitted to the Director of Community Development for distribution, review and written evaluation by city staff prior to submission to and approved by the City Council.
- (5) Minor changes to an approved development plan, which will not cause any of the following circumstances to occur, may be authorized by the Director of Community Development or his or her designee:
 - (a) A change in the character of the development;
 - (b) An increase in the gross floor areas in structures;
 - (c) An increase in the intensity of use;
 - (d) A reduction in the originally approved separations between buildings;
 - (e) Any adverse changes in traffic circulation, safety, drainage and utilities;
 - (f) Any adverse changes in such external effects on adjacent property as noise, heat, light, glare, vibration, height scale or proximity;
 - (g) A reduction in the originally approved setbacks from property lines;
 - (h) An increase in ground coverage by structures;
 - (i) A reduction in the ratio of off-street parking and loading space; and
 - (j) A change in the size, height, lighting or orientation of originally approved signs.
- (6) The decision of the Director of Community Development or his or her designee as to whether minor changes are being requested may be appealed to the Planning and Zoning Commission. Any change deemed not to be minor change, as indicated above, shall be processed as a new application in accordance with the provisions of this section and Section 20.1 of the Zoning Ordinance.

8.J Development Plan Requirements. The development plan submitted in support of a request for development plan approval shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities and what protection features are included to insure that the development will be compatible with existing and allowable development on adjacent property. The development plan shall show at least the following items of information:

- (1) The location of all existing and planned non-single-family structures on the subject property;
- (2) Landscaping lighting and/or fencing and/or screening of common areas;

- (3) General locations of existing tree clusters, providing average size and number and indication of species;
- (4) Location and detail of perimeter fencing if applicable;
- (5) General description/location of ingress and egress with description of special pavement treatment if proposed;
- (6) Off-street parking and loading facilities, and calculations showing how the quantities were obtained for all non single-family purposes;
- (7) Height of all non-single-family structures;
- (8) Proposed uses;
- (9) Location and description of subdivision signage and landscaping at entrance areas;
- (10) Street names on proposed streets;
- (11) Proposed minimum area regulations including, set-backs, lot-sizes, widths, depths, side-yards, square footage or residential structures;
- (12) Indication of all development phasing and platting limits; and
- (13) Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.

8.K Conditions for Development Plan Approval.

- (1) A development plan shall be approved only if all of the following conditions have been found during the review and process:
 - (a) That the uses will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values with the immediate vicinity;
 - (b) That the establishment of the use or uses will not impede the normal and orderly development and improvements of surrounding vacant property;
 - (c) That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
 - (d) That the design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
 - (e) That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
 - (f) That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- (2) In approving a development plan, the City Council may impose additional conditions necessary to protect the public interest and welfare of the community.

8.L Additional Conditions. Every Planned Development District approved under the provisions of this Ordinance shall be considered as an amendment to the Ordinance as applicable to the property involved. In an approved Planned Development District, the City Council may impose conditions relative to the standard of development, and such conditions shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the Planned Development District; and such condition shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be constructed as conditions precedent to the granting of a certificate of occupancy.

8.M Revocation.

- (1) Approval of a development plan may be revoked or modified, after notice and hearing, for either of the following reasons:
 - (a) Approval was obtained or extended by fraud or deception; or
 - (b) That one or more of the conditions imposed by the City Council on the development plan has not been met or has been violated.
- (2) Development controls:
 - (a) The City Council may impose more restrictive requirements than those proposed in the development plan in order to minimize incompatibilities;
 - (b) A "PD" District shall have a minimum lot area of not less than one acre under unified control;
 - (c) The parking requirements of the Zoning Ordinance shall apply to all uses in the "PD" District unless otherwise specified on the development plan; and
 - (d) "PD" provisions may vary setbacks with approval.

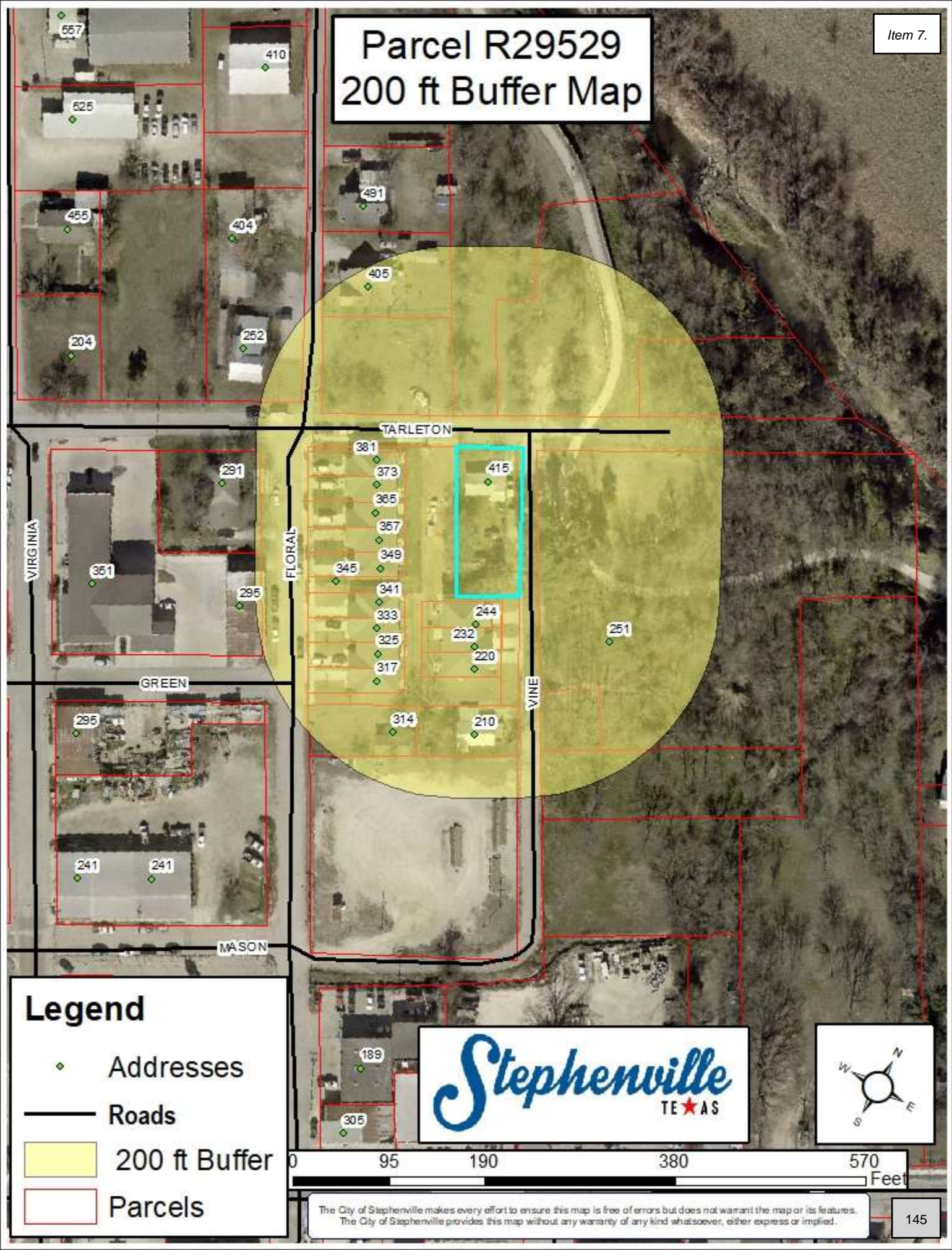
FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

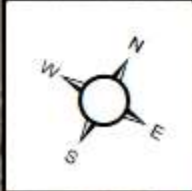
- 1) Accept the Conceptual Plan as presented.
- 2) Make recommendations to the applicant in regards to the plan.

Parcel R29529 200 ft Buffer Map



Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels

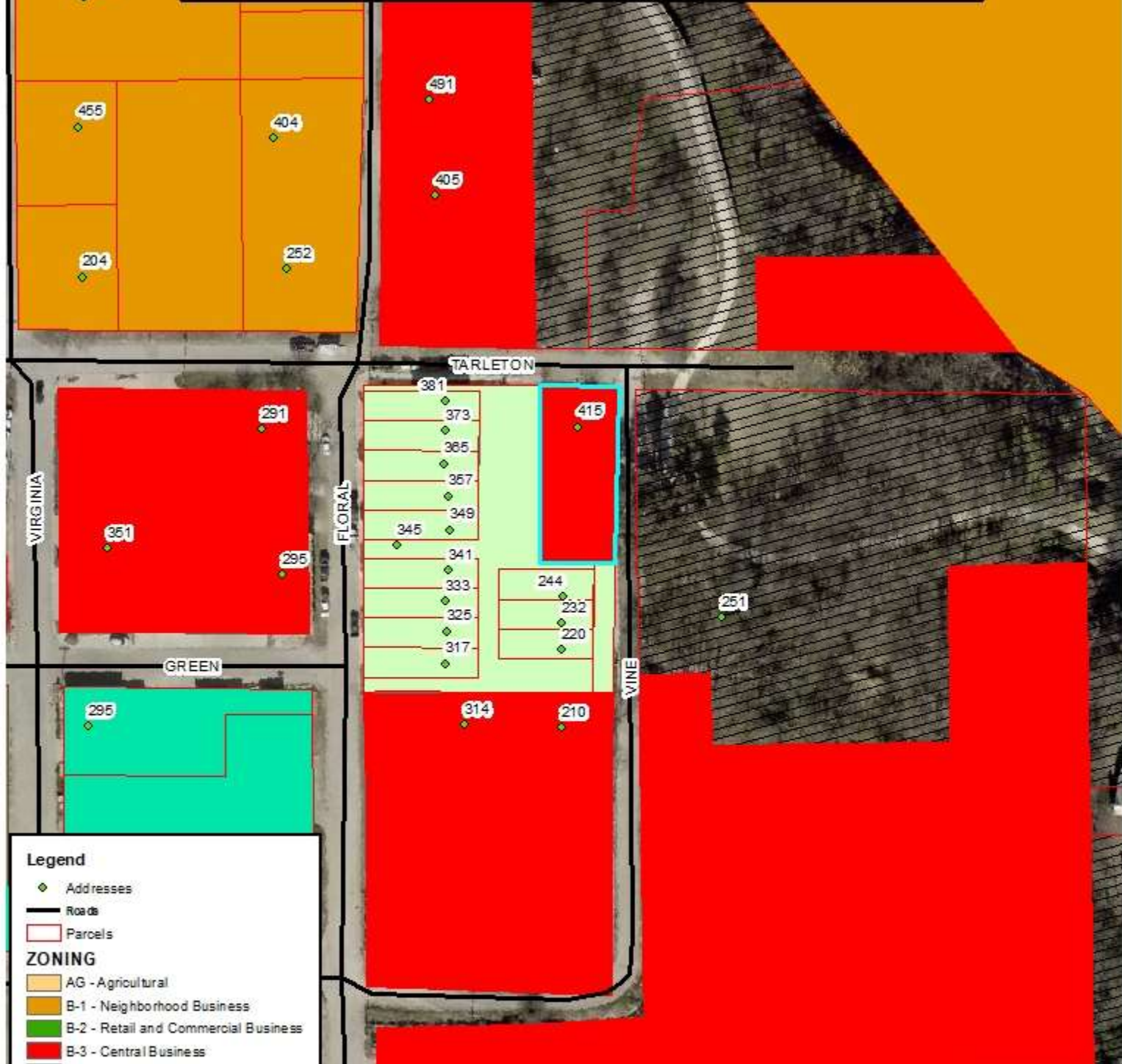


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29529

Current Zoning - B3 Central Business

Item 7.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

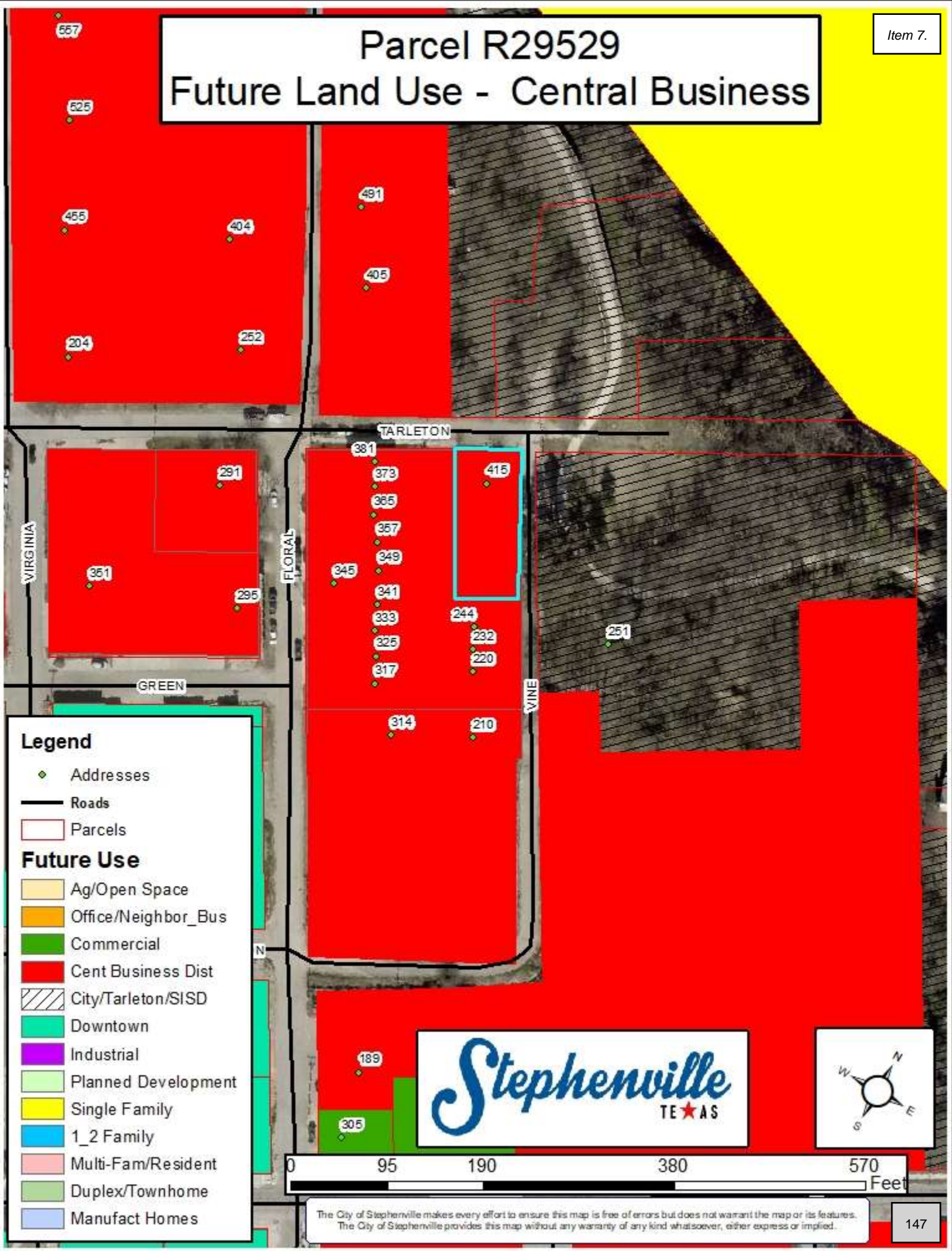
ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 8,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29529 Future Land Use - Central Business



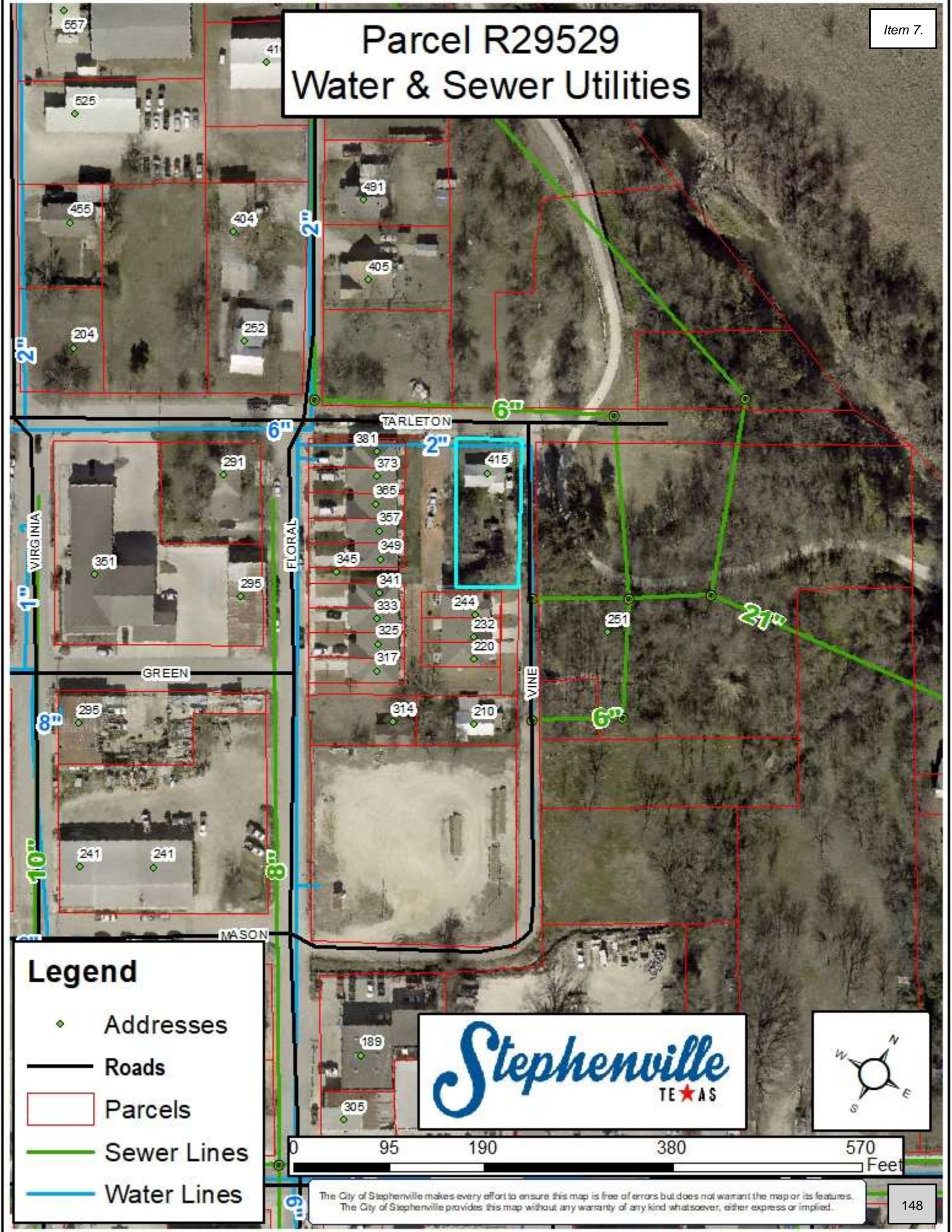
Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Future Use**
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



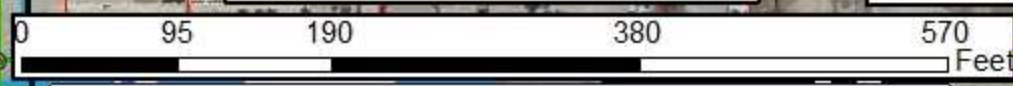
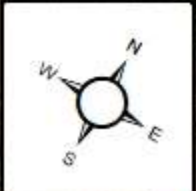
The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29529 Water & Sewer Utilities



Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Sewer Lines
- Water Lines

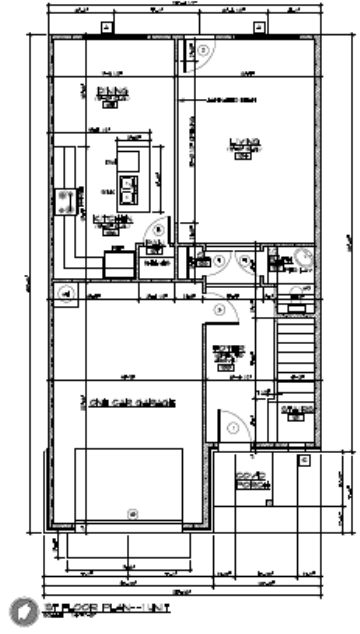
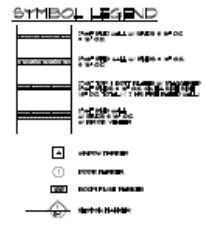
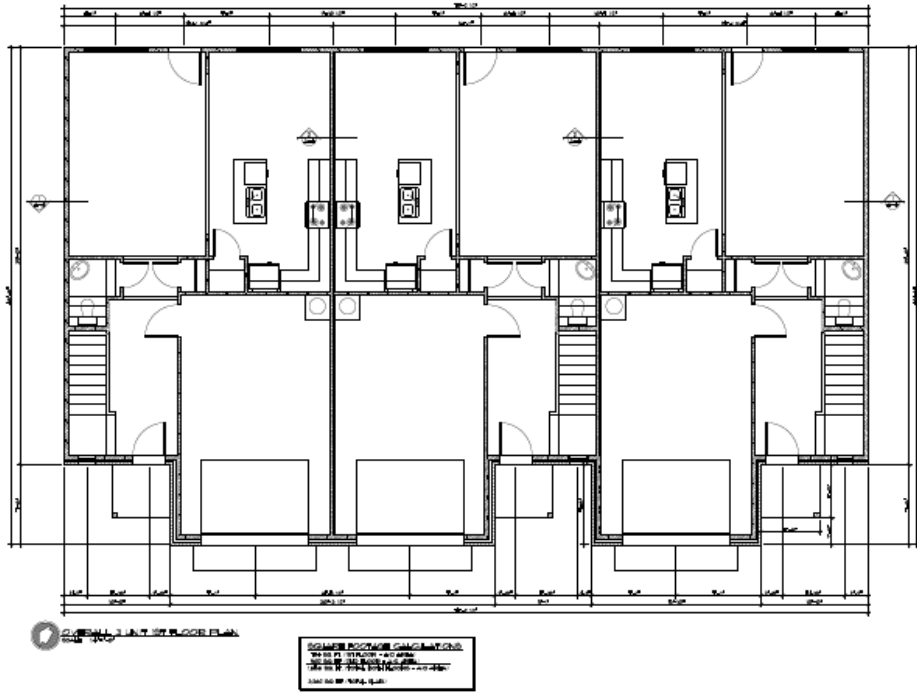


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R29529 Address List

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|----------------|---|-----------------------|--------------|-------|------------|
| R000076800 | 244 VINE | CARTER ROBERTA | 1601 CR294 | RISING STAR | TX | 76471 |
| R000052980 | 0 VINE | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029524 | 0 E TARLETON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029535 | 251 N VINE | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029523 | 0 E TARLETON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000029522 | 0 E TARLETON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000076696 | 0 VINE | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029520 | 405 N FLORAL | EDWARDS DOROTHY JEAN | 405 N FLORAL | STEPHENVILLE | TX | 76401 |
| R000029531 | 314 N FLORAL | ERATH CAPITAL INVESTMENTS LLC | 2699 CR223 | STEPHENVILLE | TX | 76401 |
| R000076794 | 357 FLORAL | ESCALANTE MATTHEW & KAELAN B ESCALANTE | 357 N FLORAL | STEPHENVILLE | TX | 76401 |
| R000076796 | 373 FLORAL | FLANAGAN NICHOLAS P & BROOKE D MACCONNELL ORNELAS | 4723 RUIZ ST | AUSTIN | TX | 78723 |
| R000076799 | 232 VINE | FRETER JUSTIN & ABIGAIL FRETER | 232 N VINE ST | STEPHENVILLE | TX | 76401 |
| R000029602 | 252 E TARLETON | HAMMON KIMBERLY B | PO BOX 1132 | STEPHENVILLE | TX | 76401 |
| R000076793 | 349 FLORAL | HORWATH TIM AND MELANIE LIVING TRUST | PO BOX 651 | STEPHENVILLE | TX | 76401 |
| R000076693 | 317 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000076694 | 325 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000076695 | 333 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000076792 | 341 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000029521 | 406 TARLETON | HUDSON TOMMY MR & MRS | 1001 E WASHINGTON 20A | STEPHENVILLE | TX | 76401-0000 |
| R000029529 | 415 E TARLETON | LANDERS JUSTIN D & TERESA A | 415 E TARLETON ST | STEPHENVILLE | TX | 76401 |
| R000029532 | 210 VINE | LARSON OWEN | 1002 SHELLY DR | CLEBURNE | TX | 76031 |
| R000029528 | 345 FLORAL | LK CAPITAL INVESTMENTS LLC | 159 SOUTH GRAHAM | STEPHENVILLE | TX | 76401 |
| R000076798 | 220 VINE | MARTIN ROXANA B | 220 N VINE ST | STEPHENVILLE | TX | 76401 |
| R000029518 | 0 N FLORAL | ONCOR ELECTRIC DELIVERY COMPANY | PO BOX 139100 | DALLAS | TX | 75313 |
| R000076795 | 365 FLORAL | PATEL AJAY CHAMPAKLAL & KAREN G PATEL | 9607 FIVE SPOT CT | SPRING | TX | 77379 |
| R000029534 | 0 VINE | RED FENCES LLC | P.O. BOX 267 | STEPHENVILLE | TX | 76401 |
| R000029328 | 351 E TARLETON | VANDEN BERGE KEVIN & KERI | PO BOX 2576 | STEPHENVILLE | TX | 76401 |
| R000029329 | 291 TARLETON | WAGNER JASEN W | 1505 GLENWOOD DR | STEPHENVILLE | TX | 76401 |
| R000076797 | 381 FLORAL | WATTS DIONNE AND DEAN WATTS | 381 N FLORAL | STEPHENVILLE | TX | 76401 |







STAFF REPORT

SUBJECT: Case No.: RP2022-005

Applicant Kenneth Tuggle, representing Washington Street Baptist Church, is requesting a replat of properties located at 719-755 Washington Street, Parcel R30084 of City Addition, being Block 108, Lots 1, 3 & 4, Parcel R30169 of City Addition, being Block 125, Lot 1 of City Addition and Parcel R30176 of City Addition, being Block 125, Lots 2, 3, 3A, 4 & 6, of the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

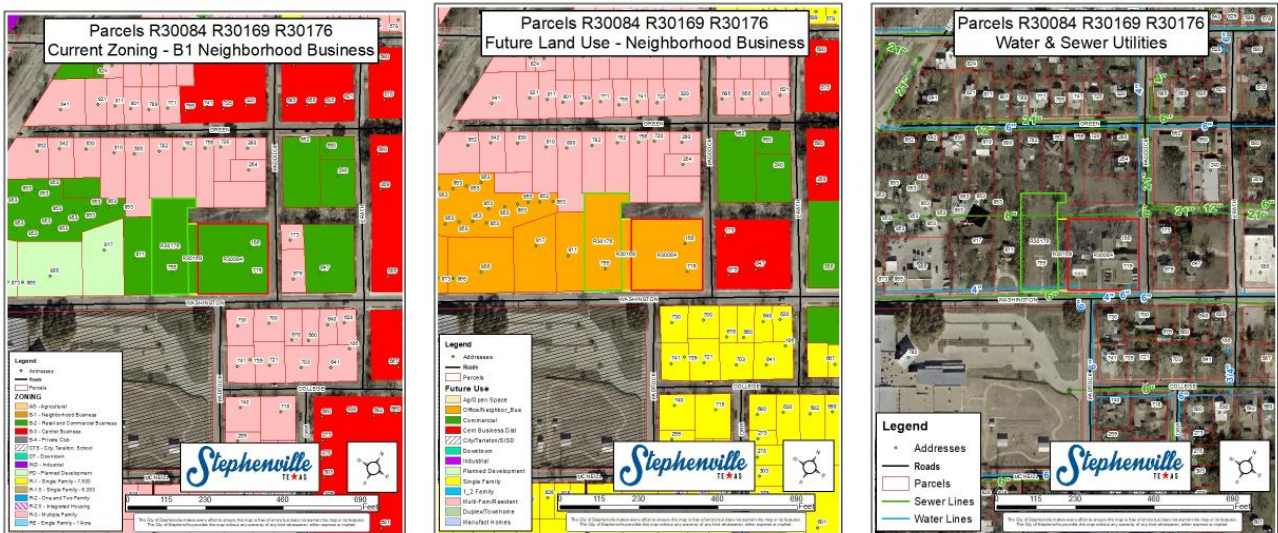
RECOMMENDATION:

Approve the replat request with conditions as follows:

BACKGROUND:

The applicant is requesting approval of a replat due to the recent sale of a portion of the property. The replat will result in the division of two lots into four lots.

PROPERTY PROFILE:



Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL. (a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved

by the municipal authority unless it is disapproved within that period and in accordance with Section [212.0091](#).

Sec. 212.0091. APPROVAL PROCEDURE: CONDITIONAL APPROVAL OR DISAPPROVAL REQUIREMENTS. (a) A municipal authority or governing body that conditionally approves or disapproves a plan or plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

(b) Each condition or reason specified in the written statement:

(1) must:

(A) be directly related to the requirements under this subchapter; and

(B) include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable; and

(2) may not be arbitrary.

Added by Acts 2019, 86th Leg., R.S., Ch. 951 (H.B. [3167](#)), Sec. 5, eff. September 1, 2019.

Sec. 212.0093. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a plan or plat under Section [212.0091](#), the applicant may submit to the municipal authority or governing body that conditionally approved or disapproved the plan or plat a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The municipal authority or governing body may not establish a deadline for an applicant to submit the response.

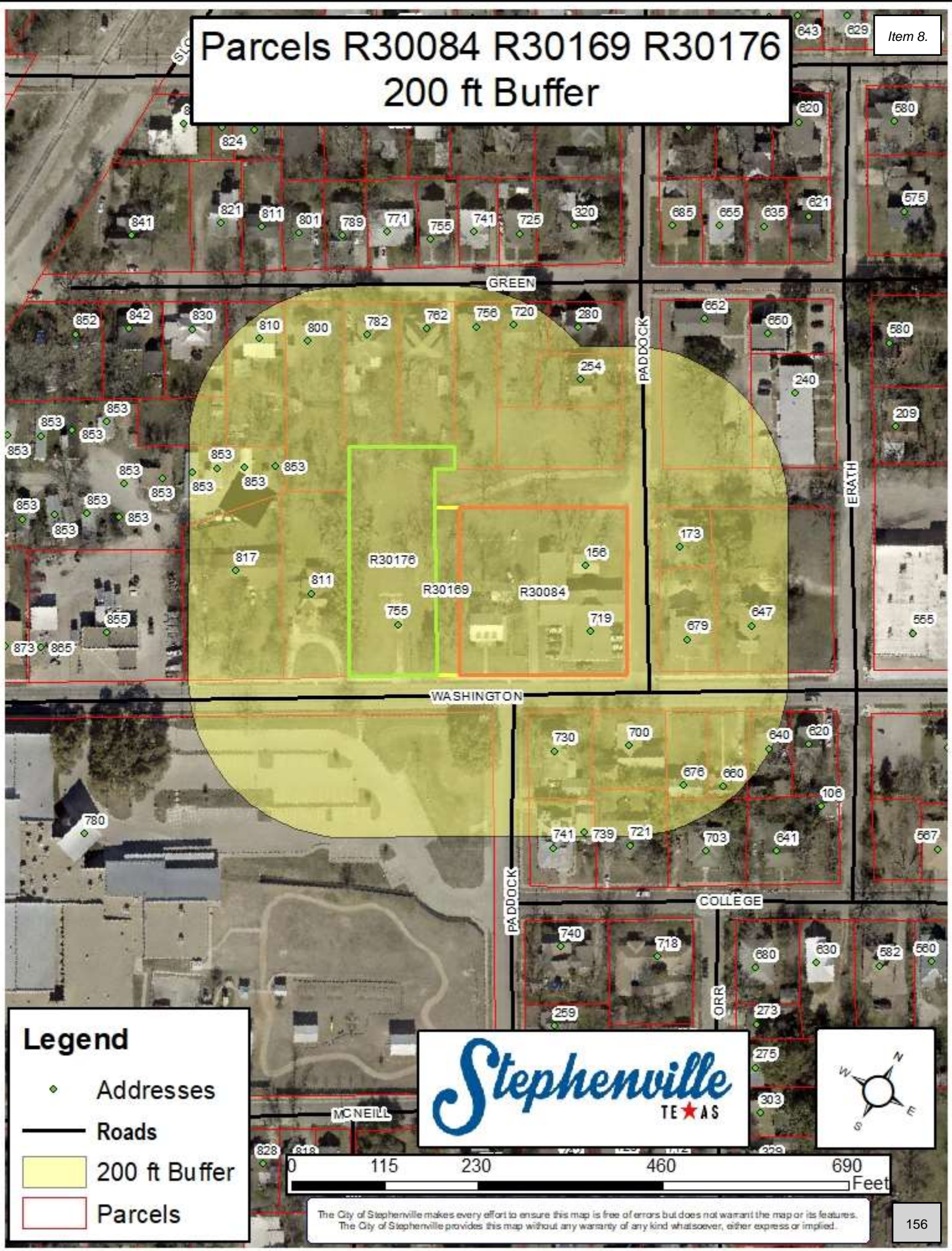
Added by Acts 2019, 86th Leg., R.S., Ch. 951 (H.B. [3167](#)), Sec. 5, eff. September 1, 2019.

ALTERNATIVES:

- 1) Approve the replat request as presented.
- 2) Approve the replat with conditions.
- 3) Deny the replat request.

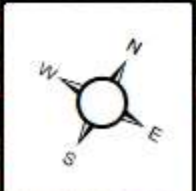
Parcels R30084 R30169 R30176 200 ft Buffer

Item 8.



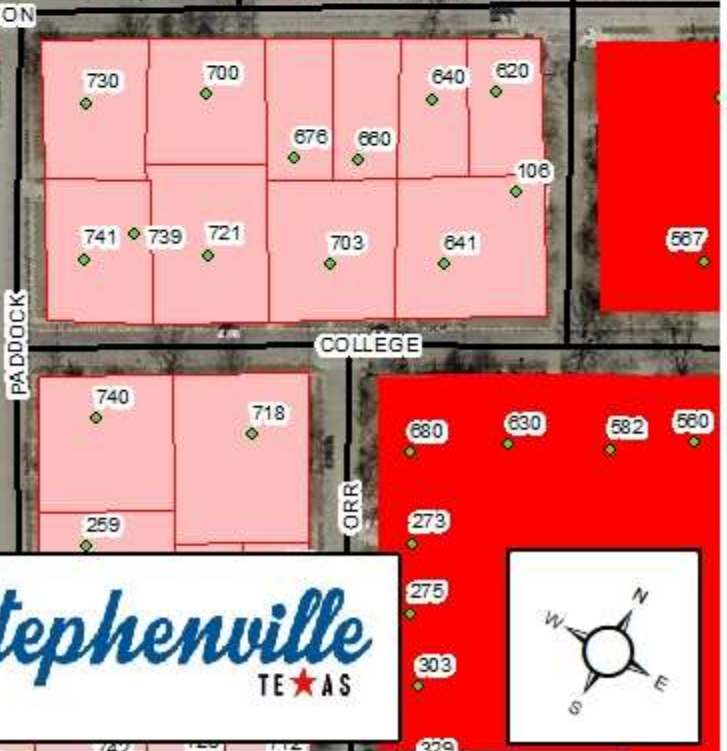
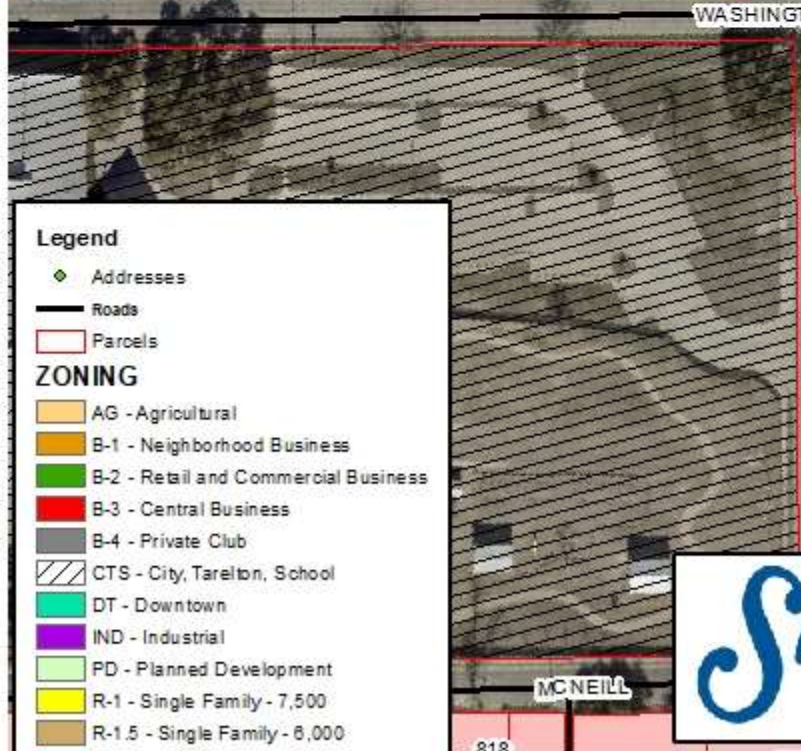
Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcels R30084 R30169 R30176 Current Zoning - B1 Neighborhood Business



Legend

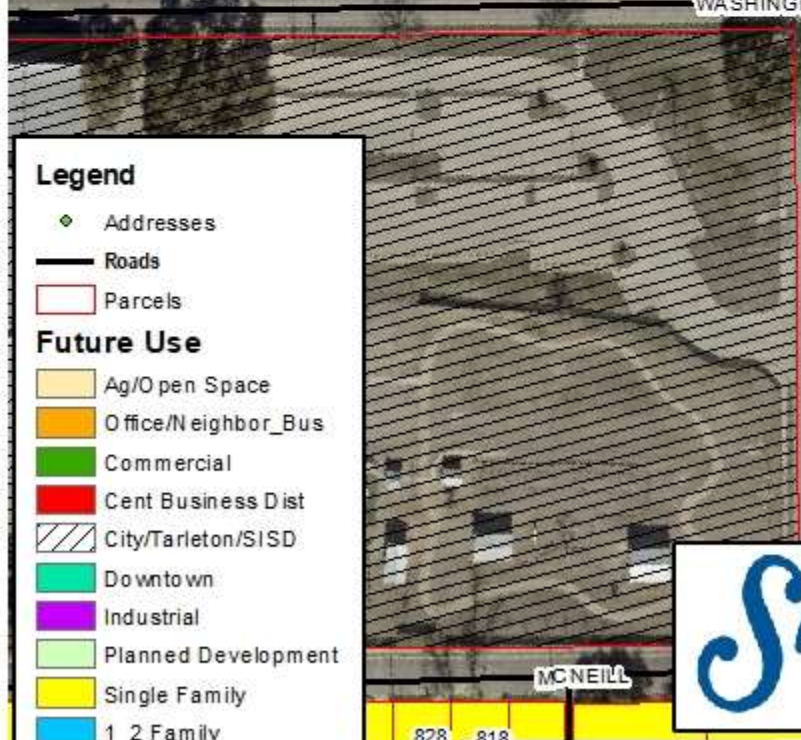
- ◆ Addresses
- Roads
- ▭ Parcels
- ZONING**
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- ▨ CTS - City, Tareton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcels R30084 R30169 R30176 Future Land Use - Neighborhood Business

Item 8.



Legend

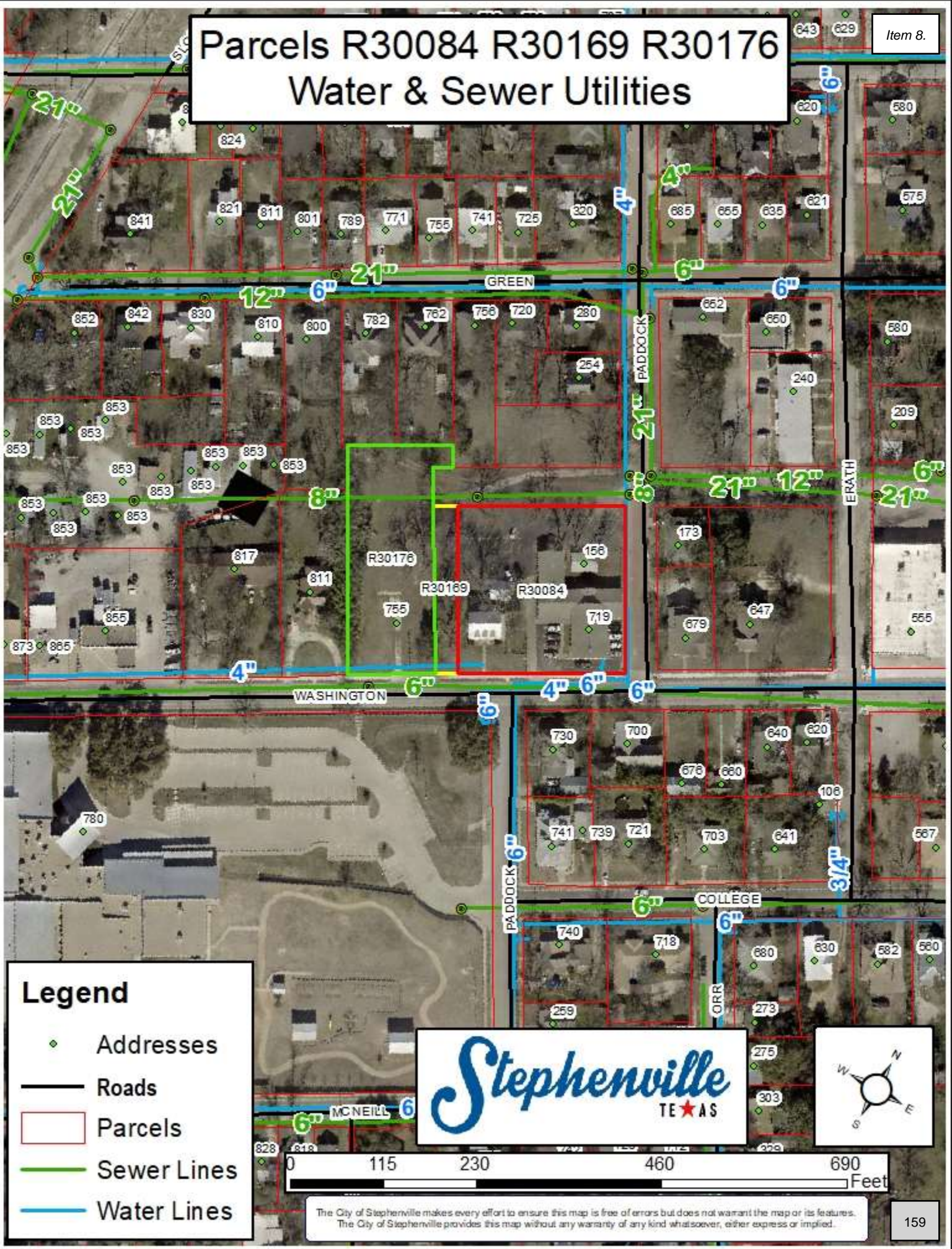
- ◆ Addresses
 - Roads
 - Parcels
- ### Future Use
- Ag/O pen Space
 - Office/Neighbor_Bus
 - Commercial
 - Cent Business Dist
 - City/Tarleton/SISD
 - Downtown
 - Industrial
 - Planned Development
 - Single Family
 - 1_2 Family
 - Multi-Fam/R esident
 - Duplex/Townhome
 - Manufact Homes



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcels R30084 R30169 R30176 Water & Sewer Utilities

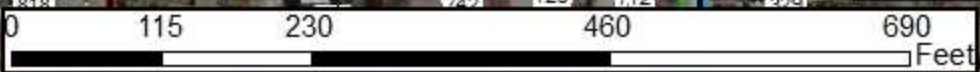
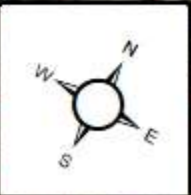
Item 8.



Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines

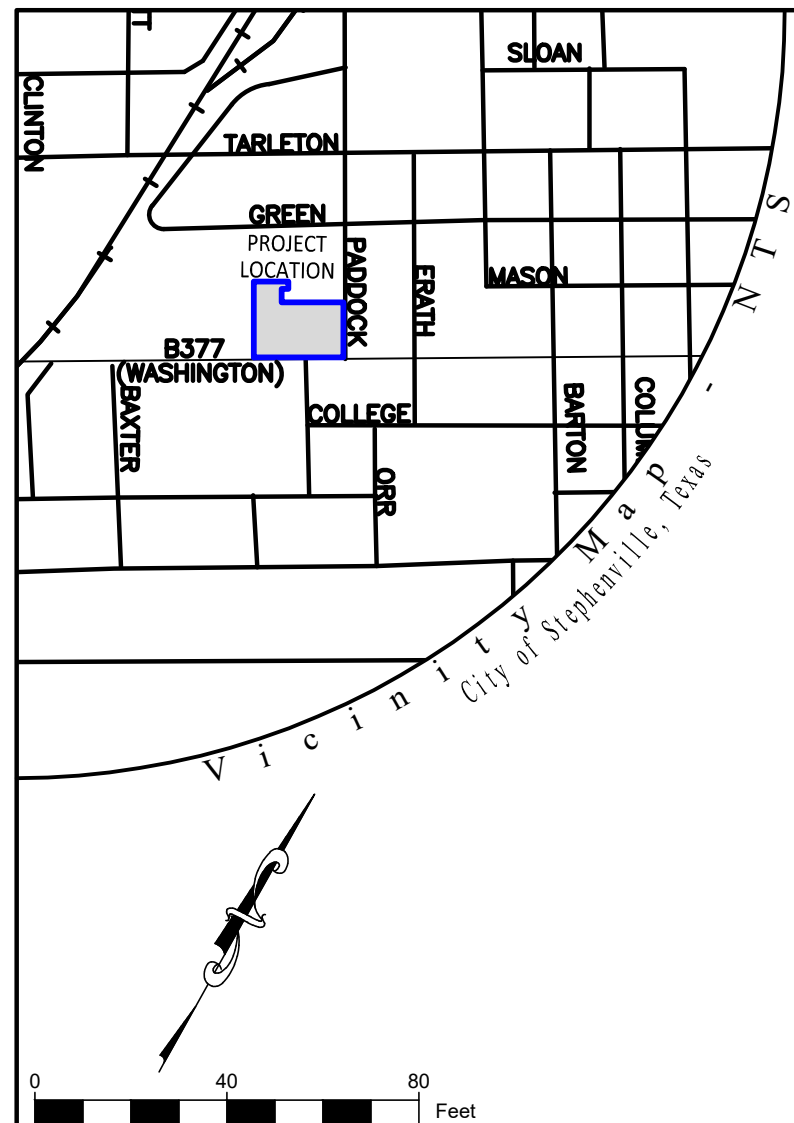
Stephenville
TEXAS



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R30084 R30169 R30176 Address List

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|------------------|----------------------------------|---------------------------|---------------|-------|------------|
| R000029583 | 817 W WASHINGTON | 598 WESTWOOD LLC | PO BOX 12324 | FORT WORTH | TX | 76110 |
| R000030077 | 756 GREEN | 6 + 6 HOUSING CORPORATION | PO BOX 15173 | SAN ANTONIO | TX | 78212-8373 |
| R000061866 | 0 GREEN | AGUILAR JORGE & VERONICA | 830 GREEN | STEPHENVILLE | TX | 76401 |
| R000032757 | 830 GREEN | AGUILAR JORGE & VERONICA | 830 GREEN | STEPHENVILLE | TX | 76401 |
| R000030170 | 811 W WASHINGTON | AVERITT SOLO 401K TRUST | 4445 NEWPORT ST | GRAND PRAIRIE | TX | 75052 |
| R000030096 | 703 COLLEGE | BIRGE JOHN DOW & PHYLLIS | 703 W COLLEGE ST | STEPHENVILLE | TX | 76401 |
| R000030079 | 720 GREEN | BRITCHES & BOWS LP | 2180 W SOUTH LOOP SUITE 4 | STEPHENVILLE | TX | 76401 |
| R000030085 | 173 PADDOCK | BURKHART MATTHEW | 173 N PADDOCK ST | STEPHENVILLE | TX | 76401 |
| R000030168 | 741 COLLEGE | COLLIER HUGHBERT A & GAIL | 741 W COLLEGE ST | STEPHENVILLE | TX | 76401-0000 |
| R000030167 | 721 COLLEGE | COLLIER NATHAN B & KRISTIN A | 997 N LYDIA ST | STEPHENVILLE | TX | 76401-2027 |
| R000030080 | 280 PADDOCK | ERATH CAPITAL INVESTMENTS LLC | 2699 CR223 | STEPHENVILLE | TX | 76401 |
| R000030081 | 254 PADDOCK | JONES JOY LEE | 1005 PRAIRIE WIND BLVD | STEPHENVILLE | TX | 76401-5904 |
| R000030078 | 0 PADDOCK | JONES JOY LEE | 1005 PRAIRIE WIND BLVD | STEPHENVILLE | TX | 76401-5904 |
| R000030086 | 679 W WASHINGTON | JORDAN JACK YVAIN & PATTY | 104 WOODBRIDGE DR | RED OAK | TX | 75154 |
| R000030165 | 730 W WASHINGTON | OSMOTHERLY SAMANTHA & JAROD | 730 W WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000030097 | 660 W WASHINGTON | PATTERSON JESSE & KAY | 5502 FM914 | STEPHENVILLE | TX | 76401-9689 |
| R000030074 | 240 ERATH | PECAN VALLEY FACILITIES INC | P O BOX 729 | GRANBURY | TX | 76048 |
| R000030076 | 652 W GREEN | PECAN VALLEY MENTAL HEALTH | P O BOX 729 | GRANBURY | TX | 76048 |
| R000030087 | 647 W WASHINGTON | RENFIELD LLC | 115 N GRAHAM ST #202 | STEPHENVILLE | TX | 76401 |
| R000030093 | 676 W WASHINGTON | ROWELL LOUIS H & JULIE H | 2214 S CROCKETT | AMARILLO | TX | 79109 |
| R000030166 | 700 W WASHINGTON | ROWELL LOUIS H & JULIE H | 2214 S CROCKETT | AMARILLO | TX | 79109 |
| R000029578 | 853 W WASHINGTON | SAUCEDO CESAR & JANA | PO BOX 1737 | STEPHENVILLE | TX | 76401-0017 |
| R000032758 | 810 W GREEN | SCHULMEYER PETER | 810 WEST GREEN STREET | STEPHENVILLE | TX | 76401 |
| R000030174 | 800 W GREEN | SCOONMAKER JOHN G | 816 HYATT DR | COPPER CANYON | TX | 75077 |
| R000030173 | 782 GREEN | SCOTT SHARON HIXON | 782 W GREEN ST | STEPHENVILLE | TX | 76401 |
| R000030172 | 762 W GREEN | STEARNS JOHN JAMES | 762 GREEN | STEPHENVILLE | TX | 76401 |
| R000068117 | 780 W WASHINGTON | STEPHENVILLE ISD | 2655 W OVERHILL DR | STEPHENVILLE | TX | 76401-0000 |
| R000030169 | 0 W WASHINGTON | WASHINGTON STREET BAPTIST CHURCH | 719 W WASHINGTON | STEPHENVILLE | TX | 76401-0000 |
| R000030176 | 755 W WASHINGTON | WASHINGTON STREET BAPTIST CHURCH | 719 W WASHINGTON | STEPHENVILLE | TX | 76401-0000 |
| R000030084 | 719 W WASHINGTON | WASHINGTON STREET BAPTIST CHURCH | 719 W WASHINGTON | STEPHENVILLE | TX | 76401-0000 |
| R000030098 | 640 W WASHINGTON | ZEIG CHRISTOPHER JAMES | 444 COOKS LANE | FRANKLIN | TX | 77856 |



- LEGEND:**
- AC.....Air Conditioning Unit
 - CIRF.....Capped Iron Rod Found
 - CO.....Cleanout
 - EM.....Electric Meter
 - FH.....Fire Hydrant
 - GM.....Gas Meter
 - GMK.....Gas Marker
 - GY.....Guy Wire
 - IRF.....Iron Rod Found
 - IRS.....5/8" Capped Iron Rod Set Marked "NATIVE CO., LLC"
 - LT.....Light Pole
 - OE.....Overhead Electric
 - PP.....Power Pole
 - SMH.....Sewer Manhole
 - WM.....Water Meter
 - WV.....Water Valve
 - D.R.E.C.T.....Deed Records, Erath County, Texas
 - P.R.E.C.T.....Plat Records, Erath County, Texas
 - Chainlink Fence.....

- NOTES:**
1. Basis of bearing being U.S. State Plane Grid - Texas North Central Zone (4202) NAD83 as established using the AllTerra RTKNet Cooperative Network. Reference frame is NAD83(2011) Epoch 2010.0000. Distances shown are U.S. Survey feet displayed in surface values.
 2. According to the scaled location of FEMA Firm Map No. 48143C0300D, effective date November 16, 2011, the subject property lies within Zone X - Areas determined to be outside the 0.2% chance annual flood.
 3. This survey was prepared without the benefit of a current commitment for title insurance. Additional easements and/or restrictions may affect the surveyed property.
 4. All property corners are 5/8 inch capped iron rods set marked "NATIVE CO., LLC" unless specified otherwise.

| LINE DATA TABLE | | |
|-----------------|-------------|--------|
| NO. | BEARING | DIST |
| L1 | S30°23'56"E | 28.00' |
| L2 | S59°36'04"W | 25.00' |
| L3 | S30°23'56"E | 50.00' |

OWNERS CERTIFICATION:

§ STATE OF TEXAS
§ COUNTY OF ERATH

WHEREAS Washington Street Baptist Church is the owner of Lots 1, 3, & 4, Block 108, Lots 1, 3, & 3-A, Block 125, and Lots 4 & 6, Block 126 of City Addition, an addition to the City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas, and being more particularly described as follows:

BEING all of Lots 1, 3, & 4, Block 108, Lots 1, 3, & 3-A, Block 125, and Lots 4 & 6, Block 126, of City Addition, an addition to the City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WASHINGTON STREET BAPTIST CHURCH, does hereby adopt this plat designating the herein above described real property as **LOTS 1R & 2R, BLOCKS 108, 125, & 126, CITY ADDITION**, an addition to the City of Stephenville, Texas, Erath County, Texas. The easements shown thereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same. Any, and all public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and/or for any maintenance and service required or ordinarily performed by that utility. The easements dedicated are for the specific use of installing and maintaining water, sewer, electrical, natural gas, telephone, fiber or cable vision lines, and are not intended to be used for garbage dumpsters, the collection of garbage, or for the use of garbage vehicles in any manner.

This plat does not alter or remove existing deed restrictions or covenants, if any, on this property.

Authorized Agent _____

§ STATE OF TEXAS
§ COUNTY OF ERATH

BEFORE ME, the undersigned authority, on this day personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2022.

Notary Public in and for the State of Texas _____ My commission expires _____

§ STATE OF TEXAS
§ COUNTY OF ERATH

BEFORE ME, the undersigned authority, on this day personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2022.

Notary Public in and for the State of Texas _____ My commission expires _____

SURVEYOR'S CERTIFICATION:

I, N. Zane Griffin, do hereby certify that I prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Stephenville, Erath County, Texas.

N. Zane Griffin, RPLS No. 6810
Date: June 9, 2022

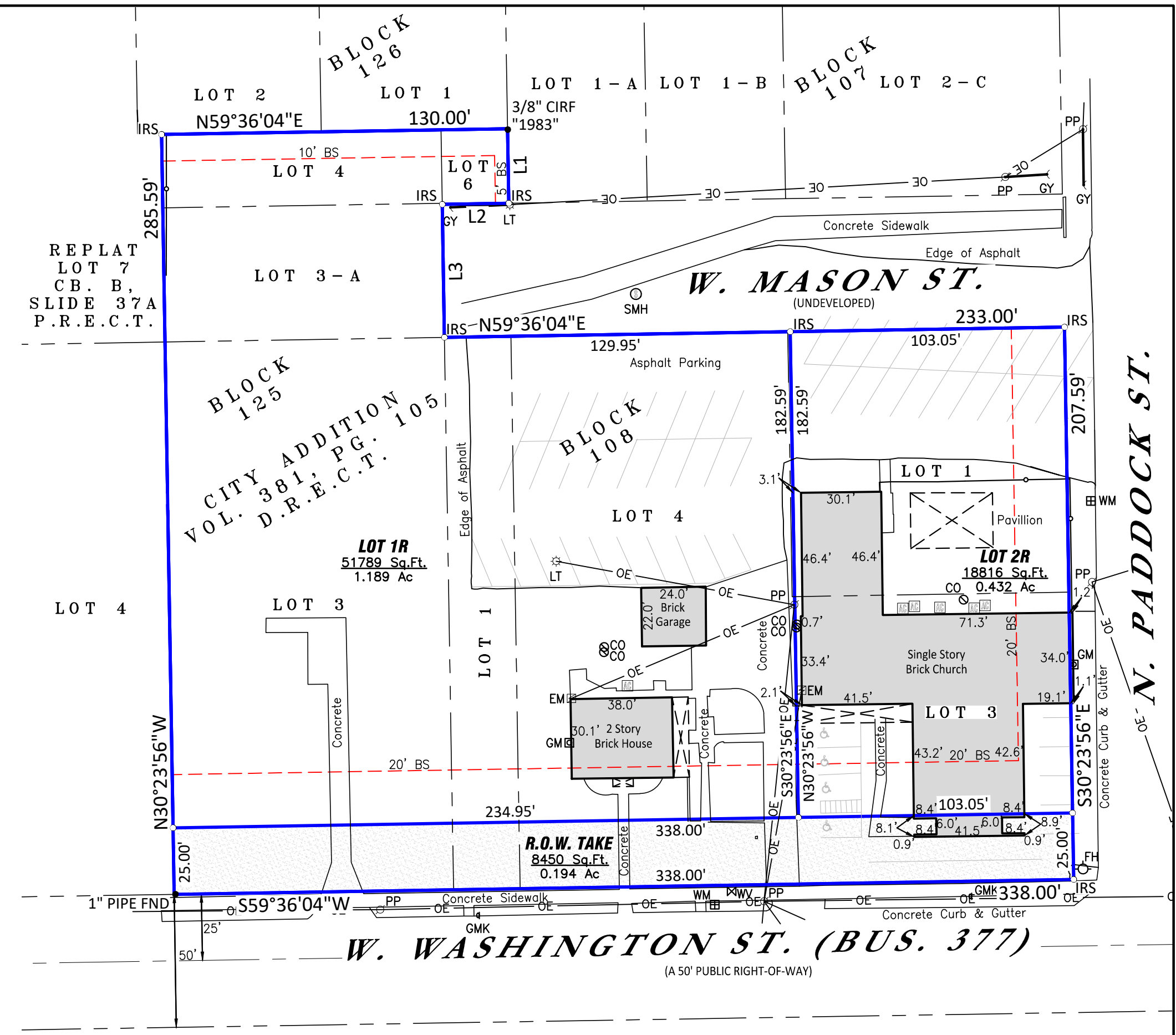
OWNER:

Washington Street Baptist Church
719 W. Washington,
Stephenville, Tx 76401

SURVEYOR:



P.O. Box 2465 Stephenville, Tx 76401
zane@nativecoandsurveying.com ~ 254-434-6695
TBPELS Firm No. 10194572

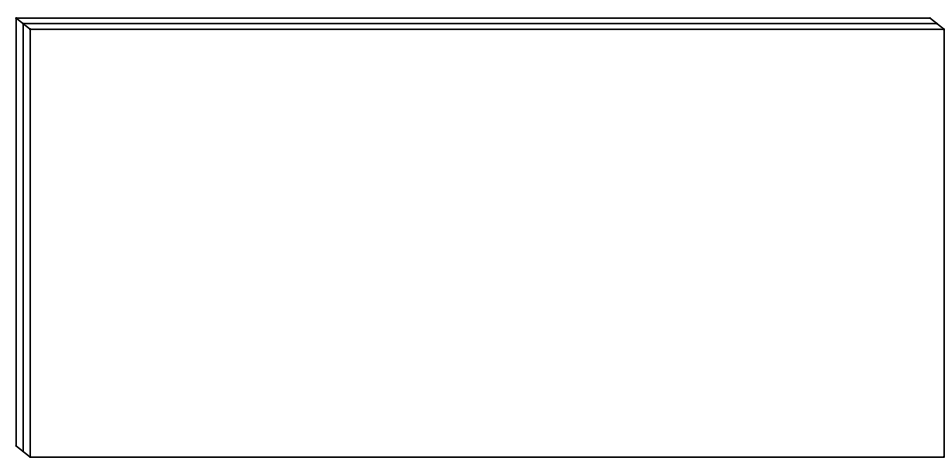


ACCEPTED AND APPROVED:

DIRECTOR OF PLANNING AND DEVELOPMENT

CITY SECRETARY

DATE



CABINET _____ SLIDE _____

REPLAT
LOTS 1R & 2R, BLOCKS 108, 125 & 126
CITY ADDITION

AN ADDITION TO THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS
BEING A REPLAT OF LOTS 1, 3, & 4, BLOCK 108, LOTS 1, 3, & 3-A, BLOCK 125, AND LOTS 4 & 6, BLOCK 126, CITY ADDITION, AS SHOWN ON KING'S 1956 MAP OF STEPHENVILLE, ADOPTION AND DEDICATION THEREOF, RECORDED IN VOLUME 381, PAGE 105, DEED RECORDS, ERATH COUNTY, TEXAS



STAFF REPORT

SUBJECT:

Case No.: SV2022-005

Applicant John Drennan is appealing a minor Subdivision Waiver from Section 155.6.11 – Sidewalk Requirements, to be constructed at 1303 W. South Loop, Parcel R33800, being Block 35, Lot 39 of the South Side Addition to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

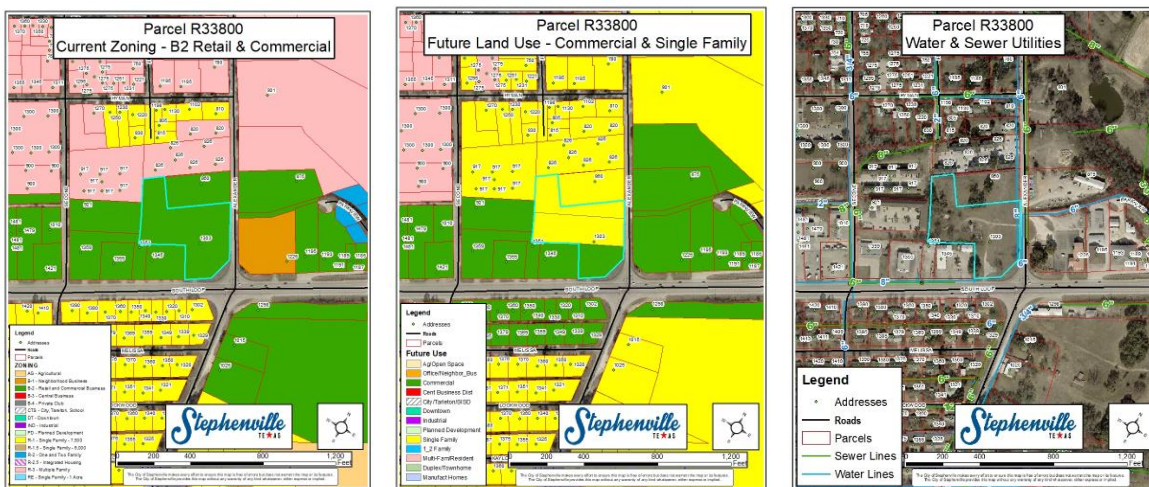
RECOMMENDATION:

Deny the waiver request unless a site development hardship is presented to justify approval.

BACKGROUND:

The applicant submitted a minor waiver request. The request was reviewed and denied by staff. The applicant's application indicated that there is no sidewalk on Alexander to connect to, no sidewalk on either side of the street and that the property to the north did not install sidewalk.

PROPERTY PROFILE:



SUBDIVISION ORDINANCE/CURBS

M. Curb and Gutter Options.

1. A six (6) inch standard curb shall be constructed on both sides of all streets except as allowed in 2 and 3 below.
2. On residential local streets and any subdivision where all lots are one (1) acre or large, a "lay down" or "roll down" curb shall be permitted if designed in accordance with Engineering Standards Manual.
3. On subdivision where all lots are one acre or larger, a "ribbon curb" shall be permitted if designed in Engineering Standards Manual.

SUBDIVISION ORDINANCE/WAIVER REQUESTS

Sec. 155.7.01. - Petition for subdivision waiver.

- A. *Purpose.* The purpose of a petition for a Subdivision Waiver to a particular standard or requirement with these Subdivision Regulations, as such are applicable to Plats or Construction Plans, is to determine whether such particular standard or requirement should be applied to an Application.
- B. *Definitions.* Subdivision Waivers shall be classified as a Minor Subdivision Waiver or Major Subdivision Waiver.
- C. *Decision-Maker.*
 - 1. *Minor Subdivision Waiver.*
 - a. *Decision-Maker Authority.*
 - i. The City Administrator shall act upon a Minor Subdivision Waiver listed in Table 8.
 - b. *Appeal of a Minor Subdivision Waiver Decision.*
 - i. *Appeal Review and Recommendation.* An appeal of the Minor Subdivision Waiver decision may be considered by the Commission.
 - ii. *Appeal Decision.* If further appeal is made, the City Council shall then act on such an appeal. (See 7.01.J Minor Subdivision Waiver Appeal)

| Table 8: Minor Subdivision Waiver | | |
|-----------------------------------|--|--------------------|
| Section | Standard | City Administrator |
| 3.01.B | Waiver of Application Information | Approve |
| 6.06.N | Dead-End Alleys | Approve |
| 6.10.D | Right Angles for Side Lot Lines | Approve |
| 6.05.D | Traffic Impact Analysis | Approve |
| 6.13.A.5 | Water Lines Extended to Subdivision Borders | Approve |
| 6.14.A.5 | Wastewater Lines Extended to Subdivision Borders | Approve |

- 2. *Major Subdivision Waiver.*
 - a. *Decision Maker Authority.* After review and recommendation from the Commission, the City Council shall decide a Major Subdivision Waiver.
- D. *Subdivision Waiver Applicability.*
 - 1. *Waiver of Standard or Requirement.*
 - a. An Applicant may request a Subdivision Waiver of a particular standard or requirement applicable to a Preliminary Plat, to Construction Plans, or where no Preliminary Plat Application has been submitted for approval, to a Final Plat or a Replat.
 - b. A Subdivision Waiver petition shall be specific in nature, and shall only involve relief consideration for one particular standard or requirement.
 - c. An Applicant may, if desired, submit more than one Subdivision Waiver petition if there are several standards or requirements at issue.

- d. For processing a Subdivision Waiver in relationship with a Plat Application, an Applicant shall submit a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

2. *Waiver Petition Acceptance.*

- a. A petition for a Subdivision Waiver shall not be accepted in lieu of:
 - i. A Subdivision Proportionality Appeal (7.02); or
 - ii. A Subdivision Vested Rights Petition (7.03).
- b. If there is a question as to whether a Subdivision Proportionality Appeal or Subdivision Vested Rights Petition is required instead of a Subdivision Waiver petition, such determination shall be made by the City Administrator.

E. *Subdivision Waiver Submission Procedures.*

1. *Written Waiver Request with Application.*

- a. A request for a Subdivision Waiver shall be submitted in writing by the Applicant with the filing of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
- b. No Subdivision Waiver may be considered or granted unless the Applicant has made such written request.

2. *Grounds for Waiver.*

- a. The Applicant's request shall state the grounds for the Subdivision Waiver request and all of the facts relied upon by the Applicant.
- b. Failure to do so, will result in denial of the Application unless the Applicant submits a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

F. *Subdivision Waiver Criteria.*

- 1. *Undue Hardship Present.* A Subdivision Waiver to regulations within this Subdivision Ordinance may be approved only when, in the Decision-Maker's opinion, undue hardship will result from strict compliance to the regulations.
- 2. *Consideration Factors.* The Decision-Maker shall take into account the following factors:
 - a. The nature of the proposed land use involved and existing uses of the land in the vicinity;
 - b. The number of persons who will reside or work in the proposed development; and
 - c. The effect such Subdivision Waiver might have upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.
- 3. *Findings.* No Subdivision Waiver shall be granted unless the Decision-Maker finds:
 - a. That there are special circumstances or conditions affecting the land involved or other constraints such that the strict application of the provisions of this Subdivision Ordinance would deprive the Applicant of the reasonable use of his or her land; and
 - b. That the Subdivision Waiver is necessary for the preservation and enjoyment of a substantial property right of the Applicant, and that the granting of the Subdivision Waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area; and
 - c. That the granting of the Subdivision Waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Subdivision Ordinance.
- 4. *Intent of Subdivision Regulations.*
 - a. A Subdivision Waiver may be granted only when in harmony with the general purpose and intent of the Subdivision Ordinance so that the public health, safety and welfare may be secured and substantial justice done.
 - b. Financial hardship to the Applicant shall not be deemed to constitute undue hardship.
- 5. *Minimum Degree of Variation.* No Subdivision Waiver shall be granted unless it represents the minimum degree of variation of requirements necessary to meet the needs of the Applicant.

6. *Violations and Conflicts.* The Decision-Maker shall not authorize a Subdivision Waiver that would constitute a violation of, or conflict with, any other valid ordinance, code, regulation, master plan or Comprehensive Plan of the City.

7. *Falsification of Information.*

- a. Any falsification of information by the Applicant shall be cause for the Subdivision Waiver request to be denied.
- b. If the Subdivision Waiver request is approved based upon false information, whether intentional or not, discovery of such false information shall nullify prior approval of the Subdivision Waiver, and shall be grounds for reconsideration of the Subdivision Waiver request.

G. *Burden of Proof.* The Applicant bears the burden of proof to demonstrate that the requirement for which a Subdivision Waiver is requested, if uniformly applied, imposes an undue hardship or disproportionate burden on the Applicant. The Applicant shall submit the burden of proof with the original submittal.

H. *Subdivision Waiver Decision.*

1. The Decision-Maker shall consider the Subdivision Waiver petition and, based upon the criteria set forth in 7.01.F Subdivision Waiver Criteria, shall take one of the following actions:

- a. Deny the petition, and impose the standard or requirement as it is stated in this Subdivision Ordinance; or
- b. Grant the petition, and waive in whole or in part the standard or requirement as it is stated in this Subdivision Ordinance.

2. Decision Process for a Minor Subdivision Waiver. The Decision-Maker shall deny or grant a request for a Minor Subdivision Waiver concurrently with the decision of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.

3. Decision Process for a Major Subdivision Waiver.

- a. Recommendation of the Planning and Zoning Commission.
 - i. The Commission shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the notice of Major Subdivision Waiver is submitted to the City Administrator.
 - ii. The Commission shall recommend to the City Council to approve or deny a request for a Major Subdivision Waiver by majority vote.
- b. Decision by City Council.
 - i. After the recommendation from the Commission has been made, the City Council shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
 - ii. The City Council may or shall approve or deny a request for a Major Subdivision Waiver by a vote of all members.
 - iii. The decision of the City Council is final.

I. *Notification of Decision on Petition— 14 Days.* The Applicant shall be notified of the decision on the Subdivision Waiver by the applicable Decision-Maker (e.g., the City Administrator, Commission or City Council, as applicable), within fourteen (14) calendar days following the decision.

J. *Minor Subdivision Waiver Appeal.*

1. *Initiation of an Appeal.*

- a. The Applicant may appeal a Minor Subdivision Waiver decision of the City Administrator, as allowed within the Subdivision Ordinance.
- b. The written request to appeal shall be submitted to the City Administrator within thirty (30) calendar days following the denial decision.

2. *Recommendation of the Planning and Zoning Commission.*

- a. The Commission shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the notice of appeal is submitted to the City Administrator.

- b. At this meeting, new information may be presented and considered, if available, that might alter the previous decision to deny the Minor Subdivision Waiver.
- c. The Commission shall recommend to the City Council to affirm, modify or reverse the previous decision by simple majority vote.

3. *Appeal to City Council.*

- a. The Applicant may appeal the Commission's decision by submitting a written notice of appeal to the City Administrator within thirty (30) calendar days following the Commission's decision.
- b. After the recommendation from the Commission has been made, the City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
- c. The City Council may affirm, modify or reverse the decision by simple majority vote.
- d. The decision of the City Council is final.

K. *Effect of Approval.*

1. *Submission and Processing.* Following the granting of a Subdivision Waiver, the Applicant may submit or continue the processing of a Plat or Construction Plans, as applicable.
2. *Expirations.* The Subdivision Waiver granted shall remain in effect for the period the Plat or Construction Plans are in effect, and shall expire upon expiration of either or both of those Applications.
3. *Extensions.* Extension of those Applications shall also result in extension of the Subdivision Waiver.

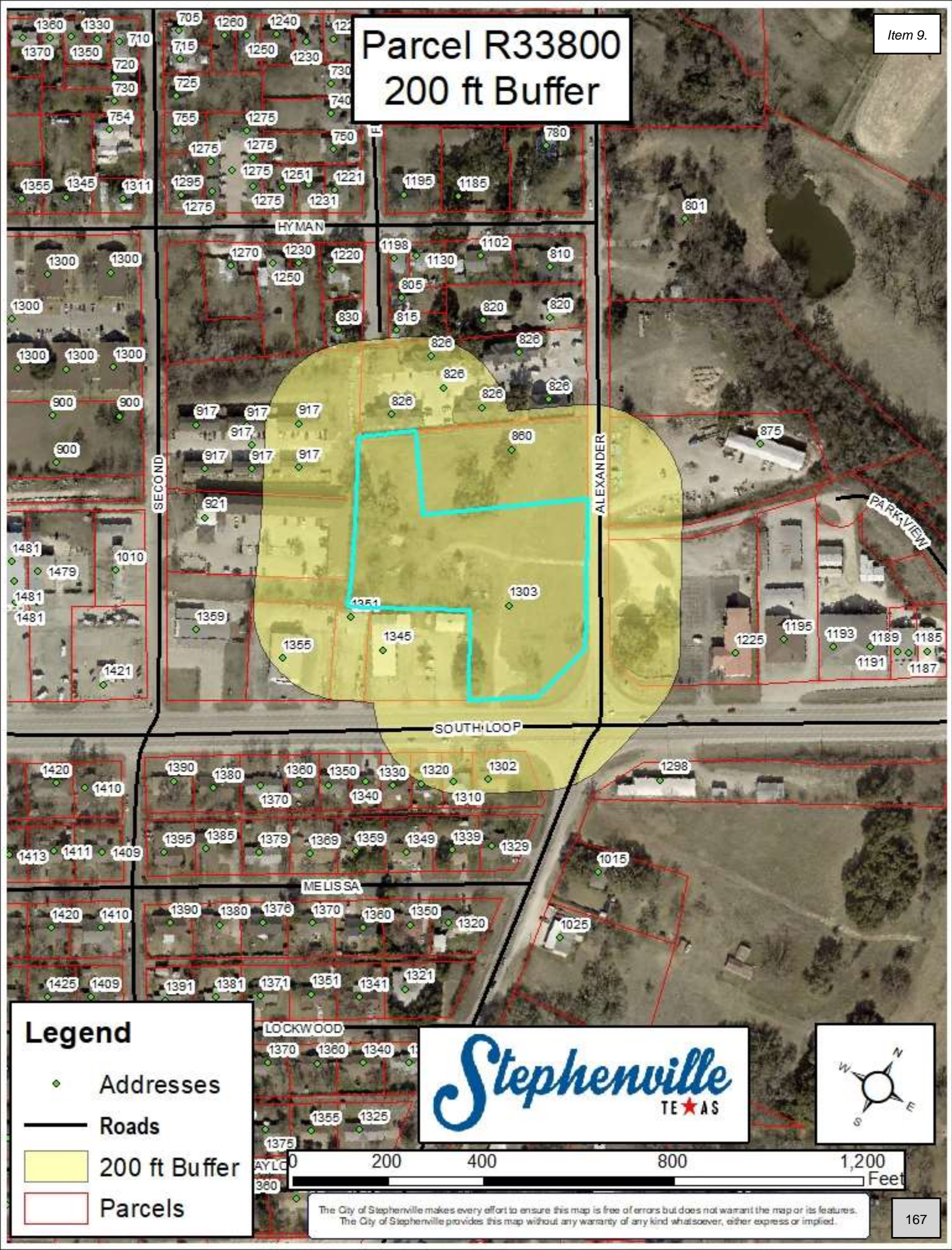
4 FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Approve the waiver request.
- 2) Deny the waiver request.

Parcel R33800 200 ft Buffer



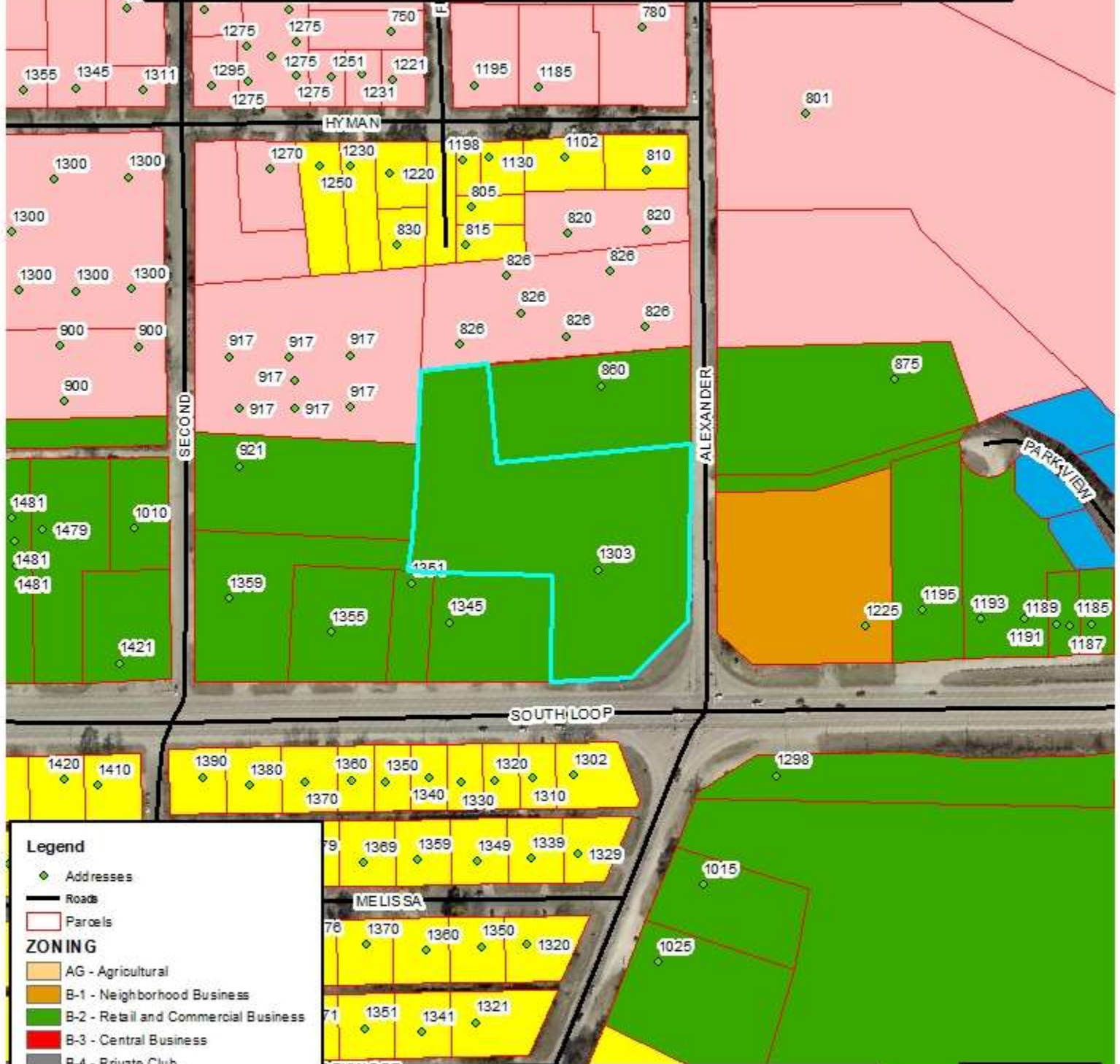
Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- ▭ Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R33800 Current Zoning - B2 Retail & Commercial

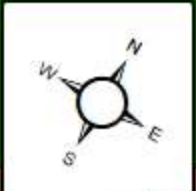


Legend

- Addresses
- Roads
- Parcels

ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tarellton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
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- RE - Single Family - 1 Acre



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Parcel R33800 Future Land Use - Commercial & Single Family

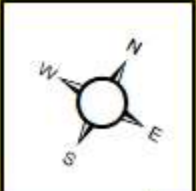


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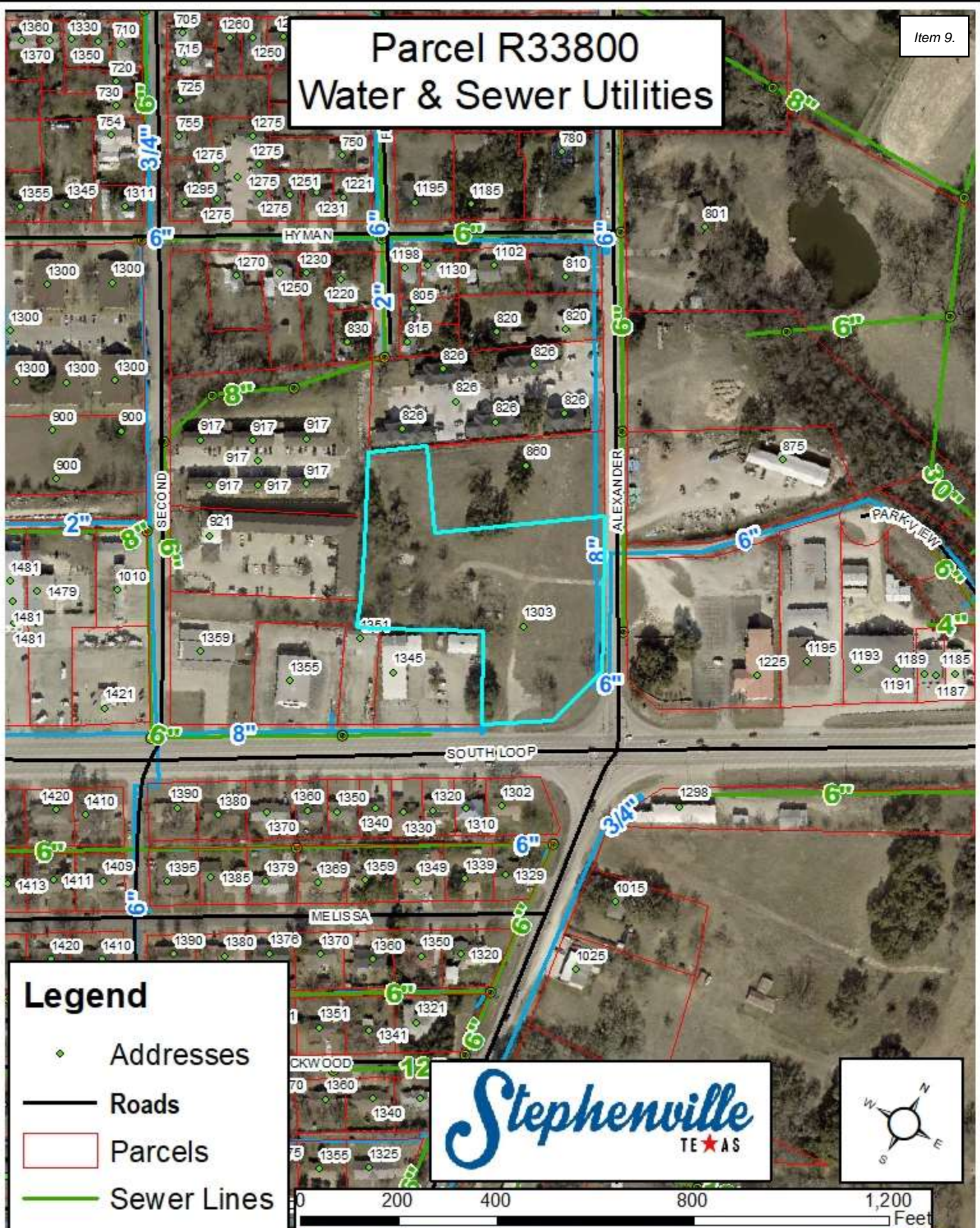
Future Use

- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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Parcel R33800 Water & Sewer Utilities



Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



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Parcel R33800 Address List

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|-------------------|---|----------------------------------|--------------|-------|------------|
| R000066306 | 921 S SECOND AVE | 921 HOSPITALITY INC | 921 S SECOND | STEPHENVILLE | TX | 76401 |
| R000074118 | 0 ALEXANDER RD | AJC INVESTMENT CORP | PO BOX 65 | STEPHENVILLE | TX | 76401 |
| R000074977 | 826 ALEXANDER RD | BB TRANSITIONS LLC | PO BOX 1827 | STEPHENVILLE | TX | 76401 |
| R000042351 | 0 S FIRST | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000069124 | 0 ALEXANDER RD | ERATH COUNTY APPRAISAL DISTRICT | 1195 W SOUTH LOOP | STEPHENVILLE | TX | 76401-0000 |
| R000065807 | 875 ALEXANDER RD | JOHNSON WAYNE BRADLEY | PO BOX 551 | HICO | TX | 76457 |
| R000055658 | 830 FIRST | LOPEZ EFRAIN | 830 1ST ST | STEPHENVILLE | TX | 76401 |
| R000032421 | 1310 SOUTH LOOP | MEADOR CARL G & DONNA L | 1310 SOUTH LOOP | STEPHENVILLE | TX | 76401-0000 |
| R000029755 | 1225 W SOUTH LOOP | MOMS WHO KNOW INC | 1225 W SOUTH LOOP | STEPHENVILLE | TX | 76401 |
| R000033795 | 1230 HYMAN | MORVANT CLIFTON J & VIRGINIA ET AL | 584 LYDIA | STEPHENVILLE | TX | 76401 |
| R000063404 | 1359 W SOUTH LOOP | OUTPOST INVESTMENTS LLC | 693 CR501 | STEPHENVILLE | TX | 76401 |
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| R000032419 | 1330 SOUTH LOOP | TRUSS TYLER & RACHEL | 290 TIMBERBROOK DR | STEPHENVILLE | TX | 76401 |
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| R000032422 | 1302 SOUTH LOOP | WAGNER DONNA R | 1505 GLENWOOD DR | STEPHENVILLE | TX | 76401 |

STAFF REPORT

SUBJECT:

Case No.: SV2022-006

Applicant John Drennan is requesting a minor Subdivision Waiver from Section 155.6.04 – Curb and Gutter Requirements, to be constructed at 1303 W. South Loop, Parcel R33800, being Block 35, Lot 39 of the South Side Addition to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

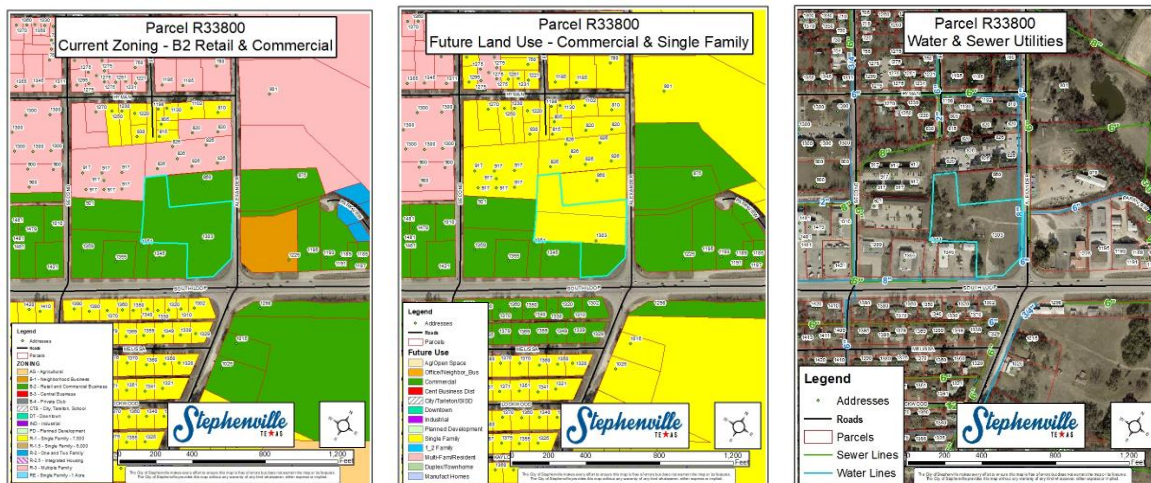
RECOMMENDATION:

Deny the waiver request unless a site development hardship is presented to justify approval.

BACKGROUND:

The applicant is requesting a waiver to curb and gutter requirements for the South Loop frontage of the property which is TXDOT controlled Right-of-Way. Curb and gutter exist on the Alexander road frontage which is city controlled Right-of-Way.

PROPERTY PROFILE:



SUBDIVISION ORDINANCE/CURBS

M. Curb and Gutter Options.

1. A six (6) inch standard curb shall be constructed on both sides of all streets except as allowed in 2 and 3 below.
2. On residential local streets and any subdivision where all lots are one (1) acre or large, a "lay down" or "roll down" curb shall be permitted if designed in accordance with Engineering Standards Manual.

- 3. On subdivision where all lots are one acre or larger, a "ribbon curb" shall be permitted if designed in Engineering Standards Manual.

SUBDIVISION ORDINANCE/WAIVER REQUESTS

Sec. 155.7.01. - Petition for subdivision waiver.

- A. *Purpose.* The purpose of a petition for a Subdivision Waiver to a particular standard or requirement with these Subdivision Regulations, as such are applicable to Plats or Construction Plans, is to determine whether such particular standard or requirement should be applied to an Application.
- B. *Definitions.* Subdivision Waivers shall be classified as a Minor Subdivision Waiver or Major Subdivision Waiver.
- C. *Decision-Maker.*
 - 1. *Minor Subdivision Waiver.*
 - a. *Decision-Maker Authority.*
 - i. The City Administrator shall act upon a Minor Subdivision Waiver listed in Table 8.
 - b. *Appeal of a Minor Subdivision Waiver Decision.*
 - i. *Appeal Review and Recommendation.* An appeal of the Minor Subdivision Waiver decision may be considered by the Commission.
 - ii. *Appeal Decision.* If further appeal is made, the City Council shall then act on such an appeal. (See 7.01.J Minor Subdivision Waiver Appeal)

| Table 8: Minor Subdivision Waiver | | |
|-----------------------------------|--|--------------------|
| Section | Standard | City Administrator |
| 3.01.B | Waiver of Application Information | Approve |
| 6.06.N | Dead-End Alleys | Approve |
| 6.10.D | Right Angles for Side Lot Lines | Approve |
| 6.05.D | Traffic Impact Analysis | Approve |
| 6.13.A.5 | Water Lines Extended to Subdivision Borders | Approve |
| 6.14.A.5 | Wastewater Lines Extended to Subdivision Borders | Approve |

- 2. *Major Subdivision Waiver.*
 - a. *Decision Maker Authority.* After review and recommendation from the Commission, the City Council shall decide a Major Subdivision Waiver.
- D. *Subdivision Waiver Applicability.*
 - 1. *Waiver of Standard or Requirement.*
 - a. An Applicant may request a Subdivision Waiver of a particular standard or requirement applicable to a Preliminary Plat, to Construction Plans, or where no Preliminary Plat Application has been submitted for approval, to a Final Plat or a Replat.
 - b. A Subdivision Waiver petition shall be specific in nature, and shall only involve relief consideration for one particular standard or requirement.

- c. An Applicant may, if desired, submit more than one Subdivision Waiver petition if there are several standards or requirements at issue.
- d. For processing a Subdivision Waiver in relationship with a Plat Application, an Applicant shall submit a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

2. *Waiver Petition Acceptance.*

- a. A petition for a Subdivision Waiver shall not be accepted in lieu of:
 - i. A Subdivision Proportionality Appeal (7.02); or
 - ii. A Subdivision Vested Rights Petition (7.03).
- b. If there is a question as to whether a Subdivision Proportionality Appeal or Subdivision Vested Rights Petition is required instead of a Subdivision Waiver petition, such determination shall be made by the City Administrator.

E. *Subdivision Waiver Submission Procedures.*

1. *Written Waiver Request with Application.*

- a. A request for a Subdivision Waiver shall be submitted in writing by the Applicant with the filing of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
- b. No Subdivision Waiver may be considered or granted unless the Applicant has made such written request.

2. *Grounds for Waiver.*

- a. The Applicant's request shall state the grounds for the Subdivision Waiver request and all of the facts relied upon by the Applicant.
- b. Failure to do so, will result in denial of the Application unless the Applicant submits a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

F. *Subdivision Waiver Criteria.*

- 1. *Undue Hardship Present.* A Subdivision Waiver to regulations within this Subdivision Ordinance may be approved only when, in the Decision-Maker's opinion, undue hardship will result from strict compliance to the regulations.
- 2. *Consideration Factors.* The Decision-Maker shall take into account the following factors:
 - a. The nature of the proposed land use involved and existing uses of the land in the vicinity;
 - b. The number of persons who will reside or work in the proposed development; and
 - c. The effect such Subdivision Waiver might have upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.
- 3. *Findings.* No Subdivision Waiver shall be granted unless the Decision-Maker finds:
 - a. That there are special circumstances or conditions affecting the land involved or other constraints such that the strict application of the provisions of this Subdivision Ordinance would deprive the Applicant of the reasonable use of his or her land; and
 - b. That the Subdivision Waiver is necessary for the preservation and enjoyment of a substantial property right of the Applicant, and that the granting of the Subdivision Waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area; and
 - c. That the granting of the Subdivision Waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Subdivision Ordinance.
- 4. *Intent of Subdivision Regulations.*
 - a. A Subdivision Waiver may be granted only when in harmony with the general purpose and intent of the Subdivision Ordinance so that the public health, safety and welfare may be secured and substantial justice done.
 - b. Financial hardship to the Applicant shall not be deemed to constitute undue hardship.

5. *Minimum Degree of Variation.* No Subdivision Waiver shall be granted unless it represents the minimum degree of variation of requirements necessary to meet the needs of the Applicant.
6. *Violations and Conflicts.* The Decision-Maker shall not authorize a Subdivision Waiver that would constitute a violation of, or conflict with, any other valid ordinance, code, regulation, master plan or Comprehensive Plan of the City.
7. *Falsification of Information.*
 - a. Any falsification of information by the Applicant shall be cause for the Subdivision Waiver request to be denied.
 - b. If the Subdivision Waiver request is approved based upon false information, whether intentional or not, discovery of such false information shall nullify prior approval of the Subdivision Waiver, and shall be grounds for reconsideration of the Subdivision Waiver request.

G. *Burden of Proof.* The Applicant bears the burden of proof to demonstrate that the requirement for which a Subdivision Waiver is requested, if uniformly applied, imposes an undue hardship or disproportionate burden on the Applicant. The Applicant shall submit the burden of proof with the original submittal.

H. *Subdivision Waiver Decision.*

1. The Decision-Maker shall consider the Subdivision Waiver petition and, based upon the criteria set forth in 7.01.F Subdivision Waiver Criteria, shall take one of the following actions:
 - a. Deny the petition, and impose the standard or requirement as it is stated in this Subdivision Ordinance; or
 - b. Grant the petition, and waive in whole or in part the standard or requirement as it is stated in this Subdivision Ordinance.
2. Decision Process for a Minor Subdivision Waiver. The Decision-Maker shall deny or grant a request for a Minor Subdivision Waiver concurrently with the decision of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
3. Decision Process for a Major Subdivision Waiver.
 - a. Recommendation of the Planning and Zoning Commission.
 - i. The Commission shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the notice of Major Subdivision Waiver is submitted to the City Administrator.
 - ii. The Commission shall recommend to the City Council to approve or deny a request for a Major Subdivision Waiver by majority vote.
 - b. Decision by City Council.
 - i. After the recommendation from the Commission has been made, the City Council shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
 - ii. The City Council may or shall approve or deny a request for a Major Subdivision Waiver by a vote of all members.
 - iii. The decision of the City Council is final.

I. *Notification of Decision on Petition—14 Days.* The Applicant shall be notified of the decision on the Subdivision Waiver by the applicable Decision-Maker (e.g., the City Administrator, Commission or City Council, as applicable), within fourteen (14) calendar days following the decision.

J. *Minor Subdivision Waiver Appeal.*

1. *Initiation of an Appeal.*
 - a. The Applicant may appeal a Minor Subdivision Waiver decision of the City Administrator, as allowed within the Subdivision Ordinance.
 - b. The written request to appeal shall be submitted to the City Administrator within thirty (30) calendar days following the denial decision.
2. *Recommendation of the Planning and Zoning Commission.*

- a. The Commission shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the notice of appeal is submitted to the City Administrator.
- b. At this meeting, new information may be presented and considered, if available, that might alter the previous decision to deny the Minor Subdivision Waiver.
- c. The Commission shall recommend to the City Council to affirm, modify or reverse the previous decision by simple majority vote.

3. *Appeal to City Council.*

- a. The Applicant may appeal the Commission's decision by submitting a written notice of appeal to the City Administrator within thirty (30) calendar days following the Commission's decision.
- b. After the recommendation from the Commission has been made, the City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
- c. The City Council may affirm, modify or reverse the decision by simple majority vote.
- d. The decision of the City Council is final.

K. *Effect of Approval.*

1. *Submission and Processing.* Following the granting of a Subdivision Waiver, the Applicant may submit or continue the processing of a Plat or Construction Plans, as applicable.
2. *Expirations.* The Subdivision Waiver granted shall remain in effect for the period the Plat or Construction Plans are in effect, and shall expire upon expiration of either or both of those Applications.
3. *Extensions.* Extension of those Applications shall also result in extension of the Subdivision Waiver.

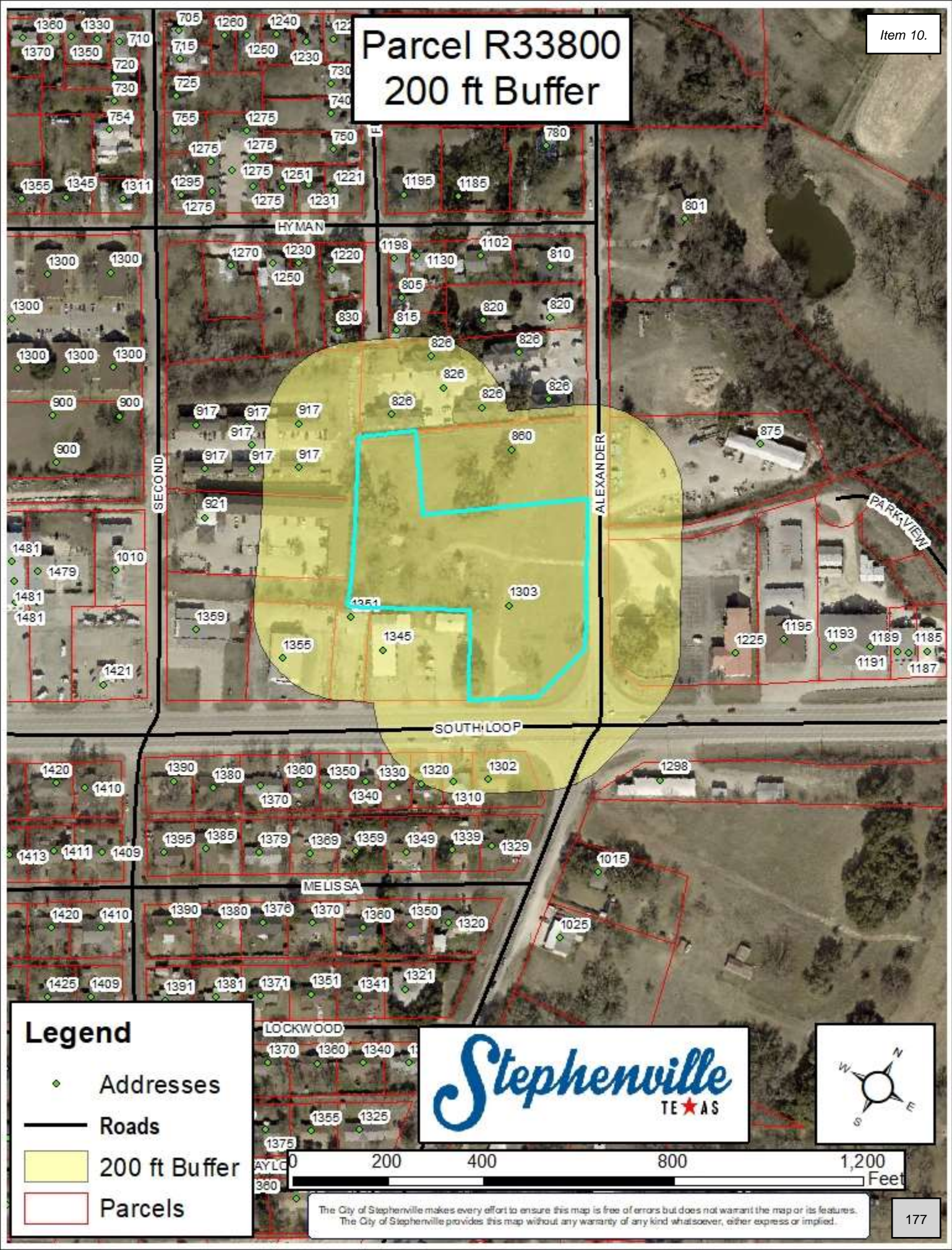
4 FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
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- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

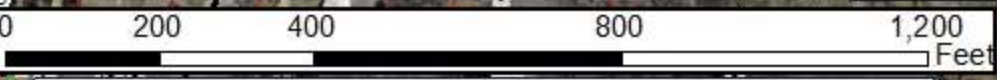
- 1) Recommend the City Council approve the waiver request.
- 2) Recommend the City Council deny the waiver request.

Parcel R33800 200 ft Buffer



Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels



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Parcel R33800 Current Zoning - B2 Retail & Commercial

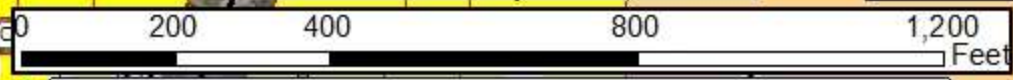


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Parcel R33800 Future Land Use - Commercial & Single Family

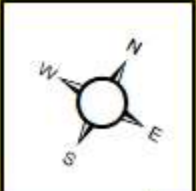


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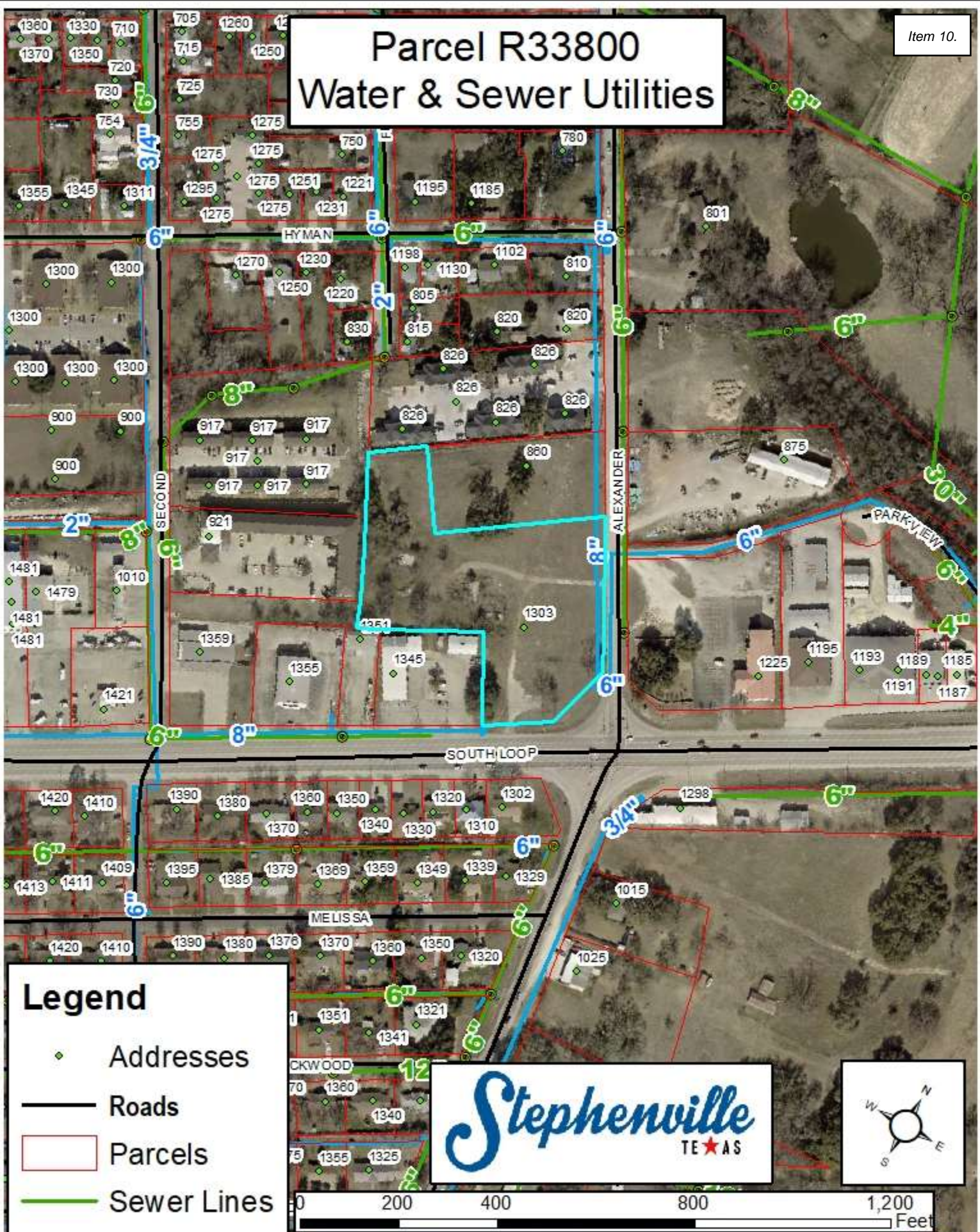
Future Use

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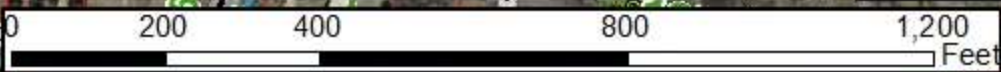
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Parcel R33800 Water & Sewer Utilities



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STAFF REPORT

SUBJECT: Case No.: PD2022-005

Applicant Tom Brooks, representing Covenant Legacy LLC, is requesting a rezone of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (PD) Planned Development. The rezone is for 7.664 acres of the 29.751 acres.

DEPARTMENT: Development Services

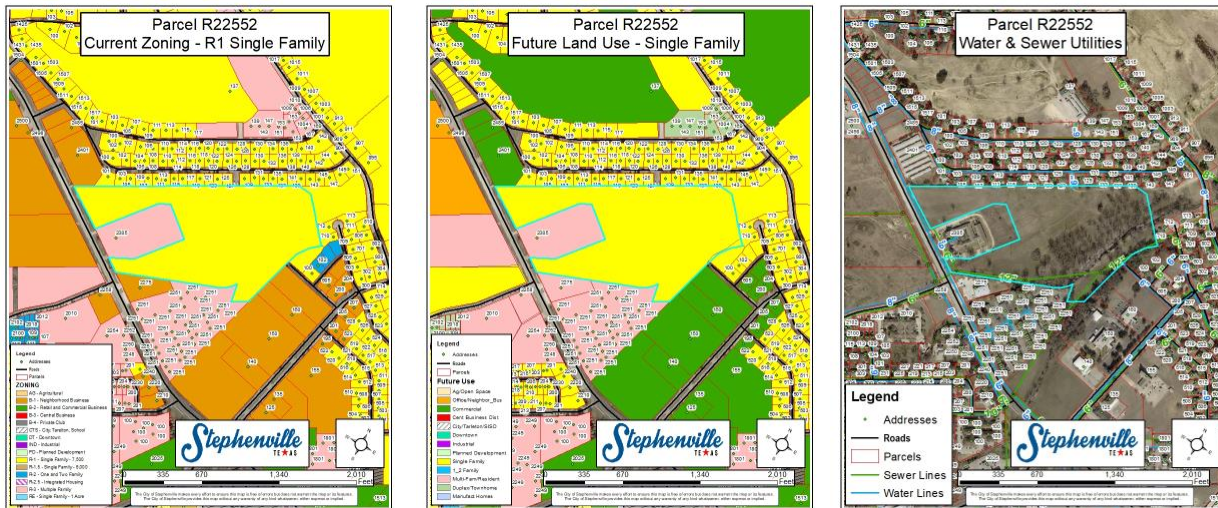
STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

A conceptual plan for the proposed Planned Development District was presented at the May 18, 2022 meeting. The applicant is now requesting approval of the rezone and development plan.

BACKGROUND:

PROPERTY PROFILE:



STAFF NOTES:

1. The PD is requested for quad style, senior housing, single-story structures.
2. The Current and Future Land Use designate this property as Single Family Residential.
3. A replat will be required if the rezone is approved.

Sec. 154.08. Planned development district (PD).

8.A Description.

- (1) Planned development districts are designed for greater flexibility and discretion in the application of residential and non-residential zoning and for increased compatibility and the more effective mitigation of potentially adverse impacts on adjacent land than in possible under standard district regulations. It is recognized that it is desirable for certain areas of the city to be developed in

accordance with development plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.

- (2) Improvements in a "PD" District are subject to conformance with a development plan approved by the City Council on Planning and Zoning Commission recommendation and after public hearing thereon. No development plan may increase gross density in excess of that allowed by the base district.

8.B Permitted Uses. In a PD Development District, no land shall be used and no building shall be installed, erected for/or converted to any use other than a hereinafter provided.

NON-RESIDENTIAL PLANNED DEVELOPMENTS. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Non-residential uses are situated such that an appreciable amount of land is available for open space or joint use as parking space and is integrated throughout the planned development;
- (3) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (4) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional non-residential projects; and
- (5) The project provides a compatible transition between adjacent existing single-family residential projects and provides a compatible transition for the extension of future single-family projects into adjacent undeveloped areas.

RESIDENTIAL PLANNED DEVELOPMENT. Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Dwelling units are situated such that an appreciable amount of land for open space is available and is integrated throughout the planned development;
- (3) The project utilizes an innovative approach in lot configuration and mixture of single-family housing types;
- (4) Higher densities than conventional single-family projects of the same acreage is achievable with appropriate buffering between existing conventional single-family developments and increased open space;
- (5) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (6) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional single-family projects; and
- (7) The project provides a compatible transition between adjacent existing conventional single-family residential projects and provides a compatible transition for the extension of future conventional single-family projects into adjacent undeveloped areas.

8.C Prohibited Uses.

- (1) Any building erected or land used for other than the use shown on the Planned Development Site Plan, as approved by the City Council.
- (2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimensions; and/or lot width, or exceeds the maximum height, building coverage or density per gross

acreage as shown in the development's recorded Planned Development Site Plan, as approved by City Council.

- (3) Any use deemed by the City Council as being detrimental to the health, safety or general welfare of the citizens of Stephenville.

8.D Ownership. An application for approval of a Planned Development Plan under the Planned Development District regulations may be filed by a person having legal ownership of the property to be included in the Development Plan. In order to ensure unified planning and development of the property, the applicant shall provide evidence, in form satisfactory to the City Attorney, prior to final approval of the Development Plan, that the property is held in single ownership or is under single control. Land shall be deemed to be held in single ownership or under single control if it is in joint tenancy, tenancy in common, a partnership, a trust or a joint venture. The Development Plan shall be filed in the name(s) of the record owner(s) of the property, which shall be included in the application. CITY ATTORNEY ACCEPTED PROOF OF OWNERSHIP.

8.E Development Schedule.

- (1) An application for a Planned Development District shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, adopted and approved by the City Council, shall become part of the Planned Development Ordinance and shall be adhered to by the owner, developer and their assigns of successors in interest. INCLUDED WITH SUBMITTAL.
- (2) Annually, upon the anniversary date, or more frequently if required, the developer shall provide a written report to the Planning and Zoning Commission concerning the actual development accomplished as compared with the development schedule.
- (3) The Planning and Zoning Commission may, if in its opinion the owner or owners of the property are failing or have failed to meet the approved development schedule, initiate proceedings to amend the Official Zoning map or the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. After the recommendation of the Planning and Zoning commission and for good cause shown by the owner and developer, the City Council may extend the development schedule as may be indicated by the facts and conditions of the case.

8.F Plat Requirements. No application for a building permit for the construction of a building or structure shall be approved unless a plat, meeting all requirement of the City of Stephenville has been approved by the City Council and recorded in the official records of Erath County.

8.G Concept Plan. The applicant for any PD Planned Development shall submit a concept plan to the Planning and Zoning Commission for review prior to submitting a Development Plan. The concept plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

8.H Development Plan Approval Required. No building permit or certificate of occupancy shall be issued and no use of land, buildings or structures shall be made in the "PD" District until the same has been approved as part of a development plan in compliance with the procedures, terms and conditions of this section of the ordinance.

8.I Approval Procedures.

- (1) An application for development plan approval shall be filed with the Director of Community Development accompanied by a development plan.
- (2) The procedures for hearing a request for a zoning change to "PD" shall be the same as for a requested change to any other district as set forth Section 20 of the Zoning Ordinance.
- (3) Any substantive revision to a development plan between the public hearing before the Planning and Zoning Commission and the public hearing before the City Council shall necessitate the development

plan being referred back to the Planning and Zoning Commission for review and evaluation unless the revision constitutes a minor change as provided below, or the change was condition of the approval.

- (4) Any revisions to the development plan after the public hearing before the City Council shall be submitted to the Director of Community Development for distribution, review and written evaluation by city staff prior to submission to and approved by the City Council.
- (5) Minor changes to an approved development plan, which will not cause any of the following circumstances to occur, may be authorized by the Director of Community Development or his or her designee:
 - (a) A change in the character of the development;
 - (b) An increase in the gross floor areas in structures;
 - (c) An increase in the intensity of use;
 - (d) A reduction in the originally approved separations between buildings;
 - (e) Any adverse changes in traffic circulation, safety, drainage and utilities;
 - (f) Any adverse changes in such external effects on adjacent property as noise, heat, light, glare, vibration, height scale or proximity;
 - (g) A reduction in the originally approved setbacks from property lines;
 - (h) An increase in ground coverage by structures;
 - (i) A reduction in the ratio of off-street parking and loading space; and
 - (j) A change in the size, height, lighting or orientation of originally approved signs.
- (6) The decision of the Director of Community Development or his or her designee as to whether minor changes are being requested may be appealed to the Planning and Zoning Commission. Any change deemed not to be minor change, as indicated above, shall be processed as a new application in accordance with the provisions of this section and Section 20.1 of the Zoning Ordinance.

8.J Development Plan Requirements. The development plan submitted in support of a request for development plan approval shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities and what protection features are included to insure that the development will be compatible with existing and allowable development on adjacent property. The development plan shall show at least the following items of information:

- (1) The location of all existing and planned non-single-family structures on the subject property;
- (2) Landscaping lighting and/or fencing and/or screening of common areas;
- (3) General locations of existing tree clusters, providing average size and number and indication of species;
- (4) Location and detail of perimeter fencing if applicable;
- (5) General description/location of ingress and egress with description of special pavement treatment if proposed;
- (6) Off-street parking and loading facilities, and calculations showing how the quantities were obtained for all non single-family purposes;
- (7) Height of all non-single-family structures;
- (8) Proposed uses;
- (9) Location and description of subdivision signage and landscaping at entrance areas;

- (10) Street names on proposed streets;
- (11) Proposed minimum area regulations including, set-backs, lot-sizes, widths, depths, side-yards, square footage or residential structures;
- (12) Indication of all development phasing and platting limits; and
- (13) Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.

8.K Conditions for Development Plan Approval.

- (1) A development plan shall be approved only if all of the following conditions have been found during the review and process:
 - (a) That the uses will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values with the immediate vicinity;
 - (b) That the establishment of the use or uses will not impede the normal and orderly development and improvements of surrounding vacant property;
 - (c) That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
 - (d) That the design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
 - (e) That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
 - (f) That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- (2) In approving a development plan, the City Council may impose additional conditions necessary to protect the public interest and welfare of the community.

8.L Additional Conditions. Every Planned Development District approved under the provisions of this Ordinance shall be considered as an amendment to the Ordinance as applicable to the property involved. In an approved Planned Development District, the City Council may impose conditions relative to the standard of development, and such conditions shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the Planned Development District; and such condition shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be constructed as conditions precedent to the granting of a certificate of occupancy.

8.M Revocation.

- (1) Approval of a development plan may be revoked or modified, after notice and hearing, for either of the following reasons:
 - (a) Approval was obtained or extended by fraud or deception; or
 - (b) That one or more of the conditions imposed by the City Council on the development plan has not been met or has been violated.
- (2) Development controls:
 - (a) The City Council may impose more restrictive requirements than those proposed in the development plan in order to minimize incompatibilities;
 - (b) A "PD" District shall have a minimum lot area of not less than one acre under unified control;

- (c) The parking requirements of the Zoning Ordinance shall apply to all uses in the "PD" District unless otherwise specified on the development plan; and
- (d) "PD" provisions may vary setbacks with approval.

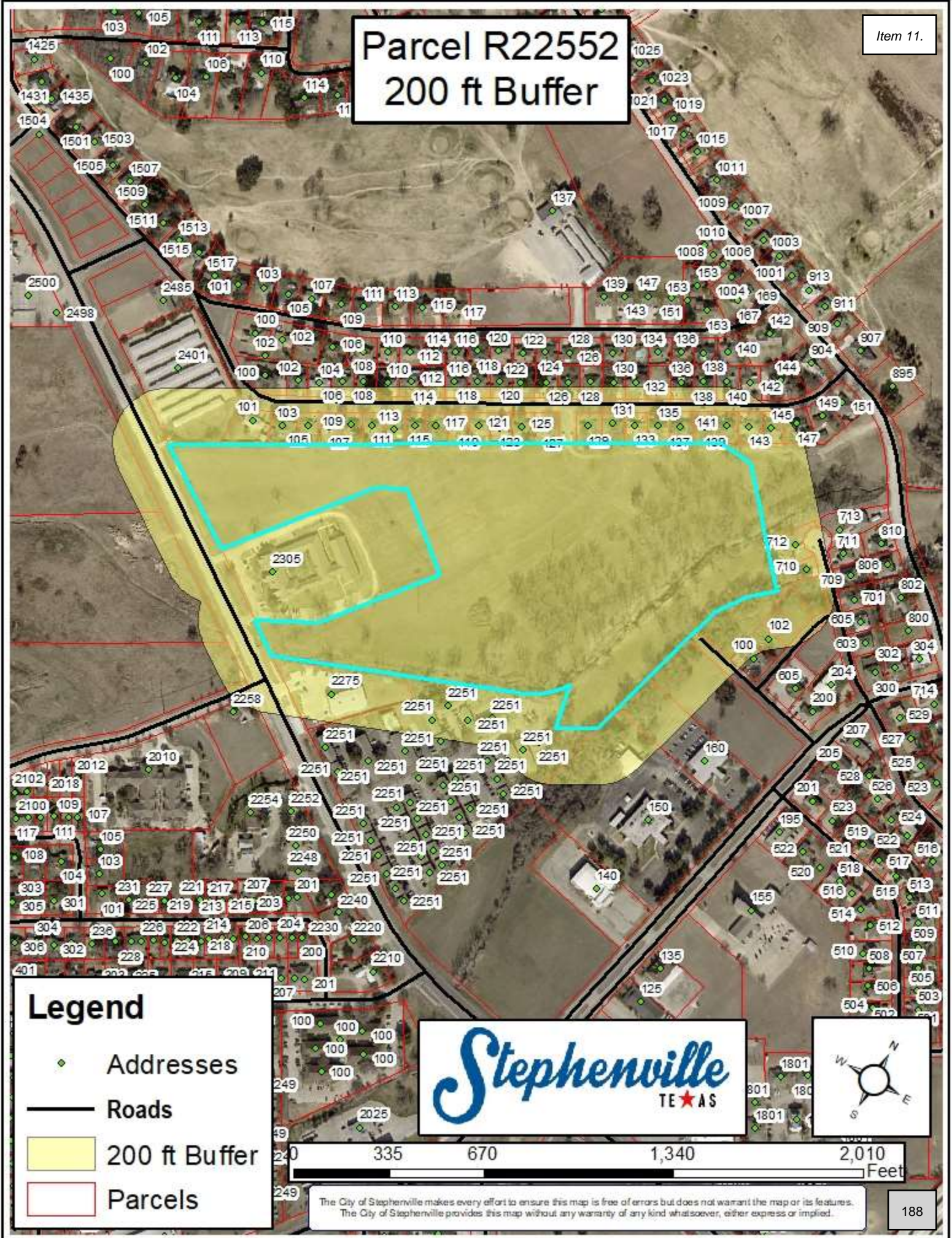
FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

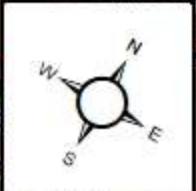
- 1) Recommend the City Council approve the rezone request to planned development.
- 2) Recommend the City Council deny the rezone request to planned development.

Parcel R22552 200 ft Buffer



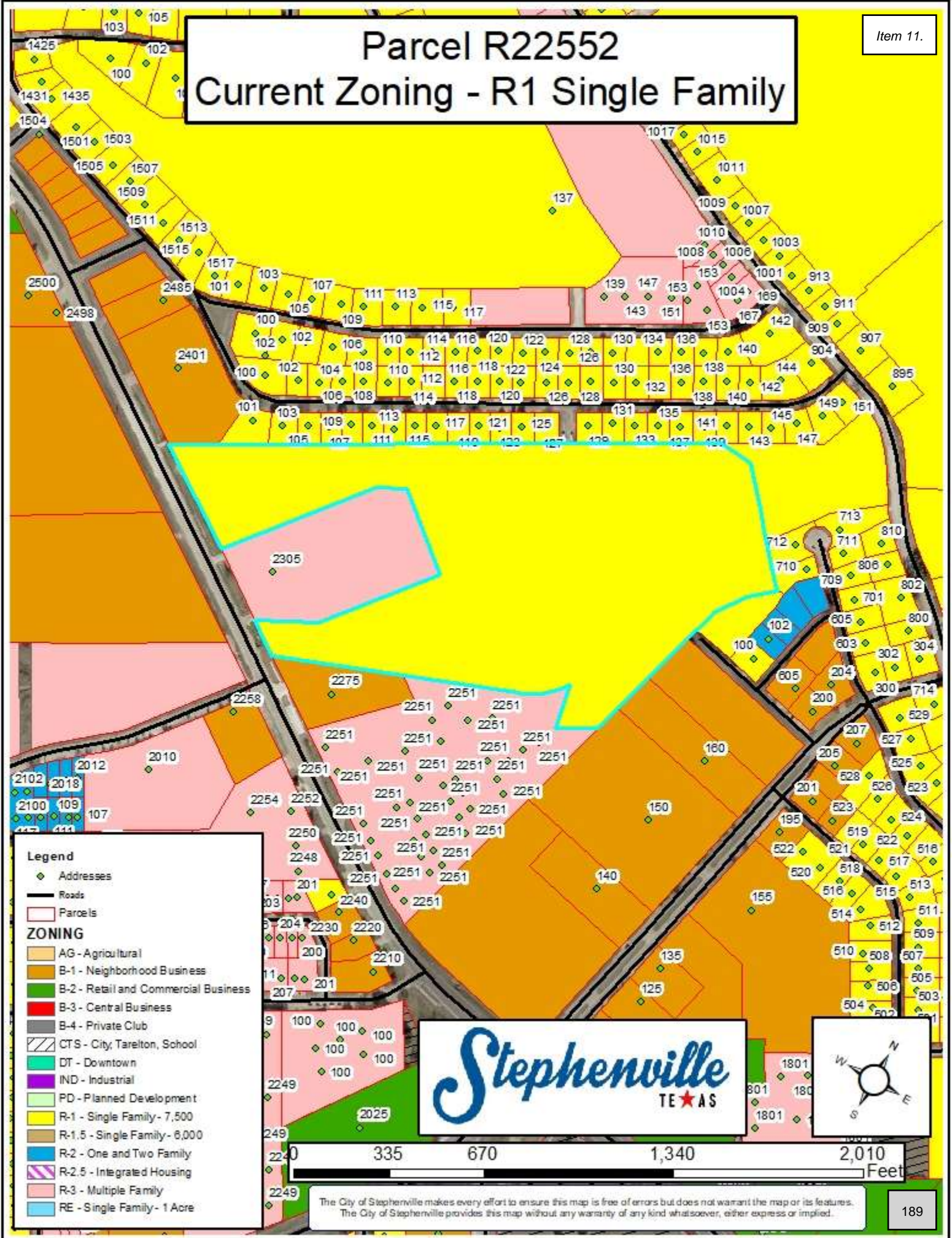
Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R22552 Current Zoning - R1 Single Family

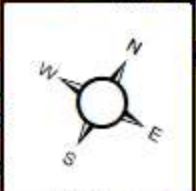


Legend

- ◆ Addresses
- Roads
- Parcels

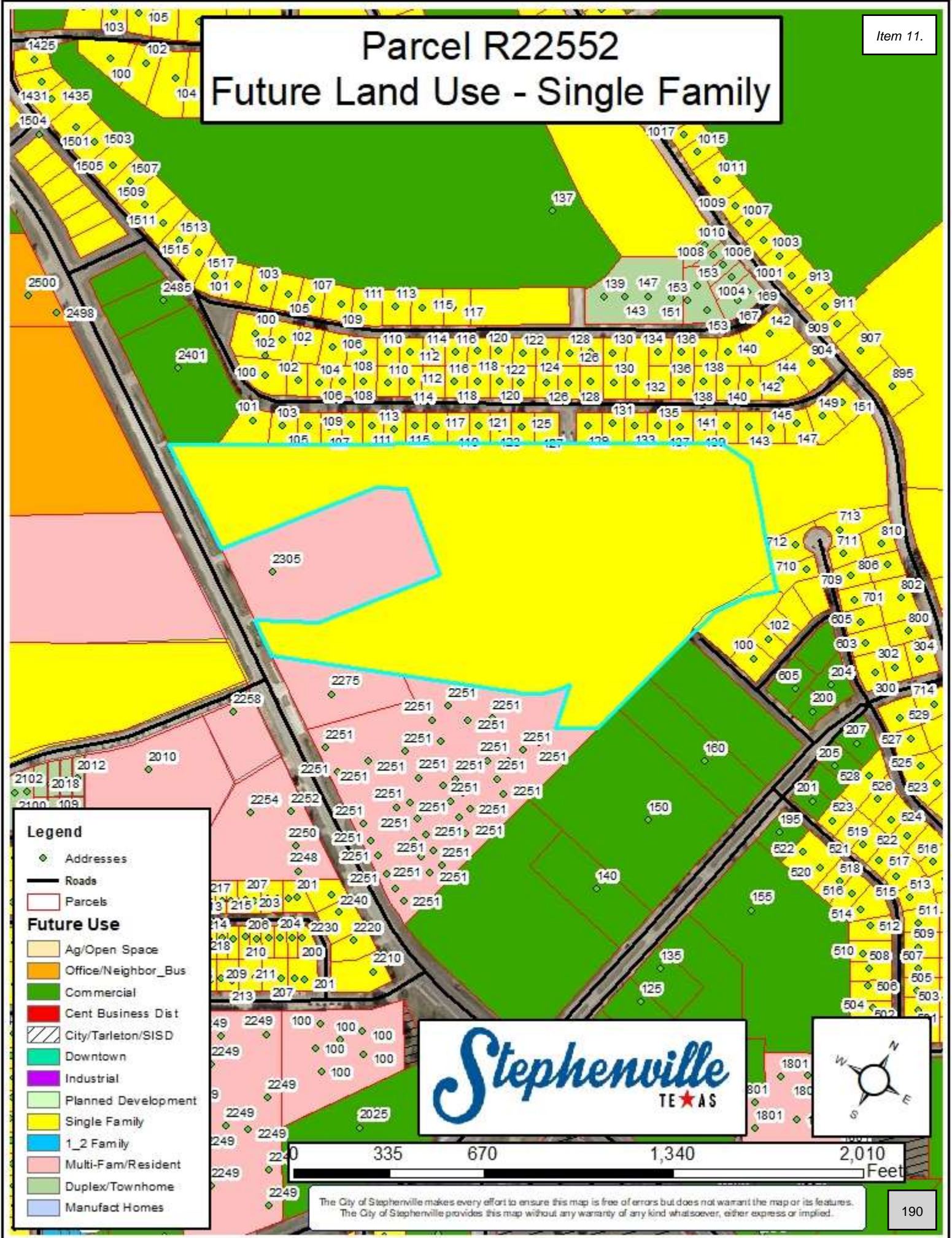
ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



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Parcel R22552 Future Land Use - Single Family

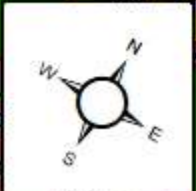


Legend

- Addresses
- Roads
- Parcels

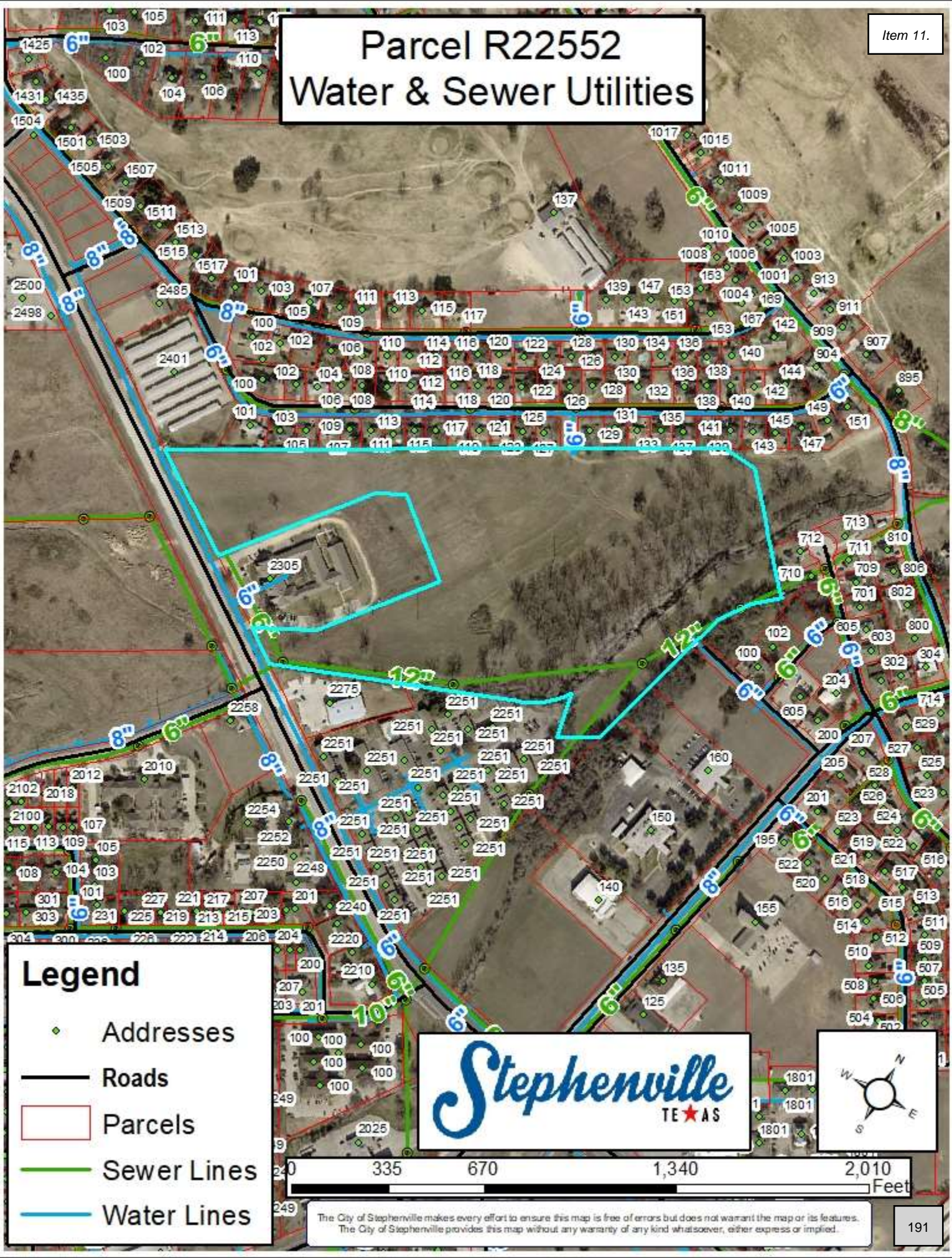
Future Use

- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



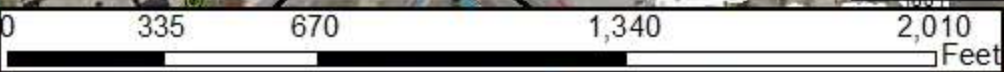
The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R22552 Water & Sewer Utilities



Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R22552 Address List

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|-----------------------|---|----------------------------|------------------|-------|------------|
| R000042841 | 117 BLUE JAY | ALLEN CALEB VAN & KRISTY RAE | 117 BLUE JAY | STEPHENVILLE | TX | 76401-5922 |
| R000063775 | 0 GOOD TREE | ALLEN REAL PROPERTIES LTD | PO BOX 953 | STEPHENVILLE | TX | 76401 |
| R000063790 | 0 GOOD TREE | ALLEN REAL PROPERTIES LTD | PO BOX 953 | STEPHENVILLE | TX | 76401 |
| R000022557 | 0 W LINGLEVILLE RD | ALLEN REAL PROPERTIES LTD | PO BOX 953 | STEPHENVILLE | TX | 76401 |
| R000031773 | 2401 W LINGLEVILLE RD | BACHUS JAMES O FAMILY TRUST | PO BOX 552 | STEPHENVILLE | TX | 76401-0552 |
| R000042825 | 130 BLUE JAY | BASHAM JOSHUAH THOMAS & RACHEAL JANINE BASHAM | 130 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000075582 | 712 SPRING MEADOW | BOSWELL RODNEY W & MELISSA J | 712 SPRING MEADOW | STEPHENVILLE | TX | 76401 |
| R000042813 | 106 BLUE JAY | BOYLES PAMELA J | 106 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042835 | 101 BLUE JAY | BUCHER JAMES M & JANE E | 101 BLUE JAY | STEPHENVILLE | TX | 76401-5922 |
| R000042819 | 118 BLUE JAY | CARLSON NORMAN E & BEVERLY A | 118 BLUE JAY | STEPHENVILLE | TX | 76401-0000 |
| R000033190 | 0 RIVER NORTH BLVD | CEDARS NATHAN ET AL | 1826 CR393 | STEPHENVILLE | TX | 76401-0000 |
| R000042824 | 128 BLUE JAY | CHESTER CAROLE S | 128 BLUEJAY | STEPHENVILLE | TX | 76401 |
| R000063792 | 0 GOOD TREE | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000042820 | | CONFIDENTIAL | | | | |
| R000042848 | | CONFIDENTIAL | | | | |
| R000042837 | 105 BLUE JAY | CORTA DOROTHY J & PETER J | 105 BLUE JAY DR | STEPHENVILLE | TX | 76401 |
| R000022552 | 0 W FM8 | COVENANT LEGACY LLP | 2915 W WASHINGTON | STEPHENVILLE | TX | 76401 |
| R000062664 | 0 ADOBE DR | CROSS TIMBERS FINE ARTS COUNCIL INC | PO BOX 1172 | STEPHENVILLE | TX | 76401 |
| R000042811 | 102 BLUE JAY | DAVIDSON DEL & JULIE | 102 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042822 | 124 BLUE JAY | DICKERSON SHERRY | 124 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042814 | 108 BLUE JAY | DREW VALERIE J | 109 GREENVIEW DR | STEPHENVILLE | TX | 76401 |
| R000041984 | 137 BLUE JAY | DUKE DEBORAH P | 137 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000041986 | 141 BLUE JAY | EILAND EDDIE & JAN | 21160 S FM219 | DUBLIN | TX | 76446 |
| R000042847 | 129 BLUE JAY | EMMONS JOSH & ASHTON | 129 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000033179 | 102 ADOBE DR | EQUITY CRP, LP | PO BOX 953 | STEPHENVILLE | TX | 76401 |
| R000033180 | 104 ADOBE DR | EQUITY CRP, LP | PO BOX 953 | STEPHENVILLE | TX | 76401 |
| R000033181 | 106 ADOBE DR | EQUITY CRP, LP | PO BOX 953 | STEPHENVILLE | TX | 76401 |
| R000033182 | 108 ADOBE DR | EQUITY CRP, LP | PO BOX 953 | STEPHENVILLE | TX | 76401 |
| R000042845 | 125 BLUE JAY | EVANS DONALD R LIVING TRUST | PO BOX 372 | BLUFF DALE | TX | 76433 |
| R000063739 | 2305 W LINGLEVILLE RD | FRONTIER EXCHANGE LANDLORD GROUP LLC | 4500 DORR ST | TOLEDO | OH | 43615 |
| R000042851 | 145 BLUE JAY | GARCIA LARAE & LOUIS GARCIA | 145 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042828 | 136 BLUE JAY | GARNER GAYLA BOTTLINGER | 136 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000066982 | 2275 W LINGLEVILLE RD | GREATER GOOD X LLC | 3195 S ACCESS RD | ENGLEWOOD | FL | 34224 |
| R000042823 | 126 BLUE JAY | GRESHAM JOHN H | PO BOX 1 | BLUFF DALE | TX | 76433 |
| R000042836 | 103 BLUE JAY | GRIMMER AARON & NIKOLE | 103 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000074582 | 713 SPRING MEADOW | GUISE DAVID LLOYD & BRENDA SUE | 713 SPRING MEADOW ST | STEPHENVILLE | TX | 76401-1843 |
| R000042826 | 132 BLUE JAY | HAYES WAYNE LEROY | PO BOX 2410 | STEPHENVILLE | TX | 76401 |
| R000042831 | 142 BLUE JAY | HENDON DAVE W & DIXIE L | 142 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042821 | 122 BLUE JAY | HENDRICKS KATHRYN J | 122 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042817 | 114 BLUE JAY | HILL CHARLES A & SANDRA K | 114 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042842 | 119 BLUE JAY | HIVELY CHRISTOPHER J & KIMBERLEE M HIVELY | 12454 DAPPLE DR | RANCHO CUCAMONGA | CA | 91739 |
| R000042812 | 104 BLUE JAY | HODGES BILLY BOB & DONNA & HOLLY HODGES | 18402 SHALLOW OAK CT | TOMBALL | TX | 77377 |
| R000042816 | 112 BLUE JAY | HODGES TERRY GLEN & REBECCA | 112 BLUE JAY | STEPHENVILLE | TX | 76401-0000 |
| R000041981 | 107 BLUE JAY | HOLLOWAY LIVING TRUST | 107 BLUE JAY ST | STEPHENVILLE | TX | 76401 |
| R000041982 | 109 BLUE JAY | HOWARD NETA FAYE (LIFE ESTATE) | 109 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000022664 | 0 W LINGLEVILLE RD | IP KAM WOON | PO BOX 192 | STEPHENVILLE | TX | 76401-0000 |
| R000042840 | 115 BLUE JAY | JAMES CAVIN & STACEY SHARON NOLAND (JAMES) | 115 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042849 | 133 BLUE JAY | JOHNSON DAVID HUNTER | 1600 SUNSET DRIVE | MARBLE FALLS | TX | 78654 |
| R000042829 | 138 BLUE JAY | JONES GWINDA L | PO BOX 1979 | STEPHENVILLE | TX | 76401 |
| R000041983 | 111 BLUE JAY | KAISER MARK A & KIMBERLY | 111 BLUE JAY DR | STEPHENVILLE | TX | 76401-0000 |
| R000041985 | 139 BLUE JAY | KDH RENTALS LLC | 1610 W CEDAR ST | STEPHENVILLE | TX | 76401 |
| R000041978 | 100 BLUE JAY | KOPLIN JEFFREY & LESLI KOPLIN | PO BOX 993 | STEPHENVILLE | TX | 76401 |
| R000042827 | 134 BLUE JAY | LAKE GRANBURY DEVELOPERS LP | 3080 W WASHINGTON ST | STEPHENVILLE | TX | 76401-3728 |
| R000031784 | 0 PRAIRIE WIND | LAKE GRANBURY DEVELOPERS LP | PO BOX 2579 | STEPHENVILLE | TX | 76401 |
| R000042320 | 143 BLUE JAY | MCDANEL RUSSELL EDWARD | PO BOX 974 | STEPHENVILLE | TX | 76401-0000 |
| R000033177 | 703 VANTAGE DR | MCDONALD & BACHUS FAMILY TRUSTS | PO BOX 552 | STEPHENVILLE | TX | 76401-0552 |
| R000042838 | 113 BLUE JAY | MOSES COREY & KATHRYN | 113 BLUE JAY | STEPHENVILLE | TX | 76401 |
| R000042844 | 123 BLUE JAY | PLANNERS EQUITY LP | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000042830 | 140 BLUE JAY | PLANNERS EQUITY LP | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000042349 | 147 BLUE JAY | REAGAN JACK & SHEILA | 147 BLUE JAY ST | STEPHENVILLE | TX | 76401-5926 |
| R000042818 | 116 BLUE JAY | SMITH RANDY & KELLY | 116 BLUE JAY | STEPHENVILLE | TX | 76401-0000 |
| R000042850 | 135 BLUE JAY | STEPHENSON JAMES HERRING | 135 BLUE JAY ST | STEPHENVILLE | TX | 76401 |
| R000033191 | 150 RIVER NORTH BLVD | STEPHENVILLE MED DEV CO | BOX 1317 | STEPHENVILLE | TX | 76401-0000 |
| R000065896 | 160 RIVER NORTH BLVD | STEPHENVILLE MED DEV CO #3 | 150 RIVER NORTH BLVD | STEPHENVILLE | TX | 76401 |
| R000042843 | 121 BLUE JAY | STEPHENVILLE RENTALS LLC | 181 S GRAHAM | STEPHENVILLE | TX | 76401 |
| R000033178 | 100 ADOBE DR | TERRY VETERANS TRUST | 100 ADOBE DR | STEPHENVILLE | TX | 76401 |
| R000042846 | 127 BLUE JAY | TRAINHAM SUSAN | PO BOX 139 | LINGLEVILLE | TX | 76461 |
| R000042815 | 110 BLUE JAY | TROTTER MABEL L | 126 BEN HOGAN DR | STEPHENVILLE | TX | 76401-5915 |
| R000014951 | 2251 W LINGLEVILLE RD | WINDMASS VILLIAGE III PORTFOLIO OWNER LLC | 100 CRESCENT CT, SUITE 270 | DALLAS | TX | 75201 |
| R000066710 | 710 SPRING MEADOW | WOOTAN GARY MARK | 710 SPRING MEADOW ST | STEPHENVILLE | TX | 76401 |







BLOCK 1

BLUE JAY DRIVE

50'

LOT 1

LOT 2

OAK TREE ADDITION BLOCK 2

LOT 13

LOT 14

BLOCK 3

VANTAGE
DRIVE

N 59°35'55" E 180.81'

N 60°06'32" E 169.27'

N 52°05'58" W 232.24'

N 60°06'32" E 1035.74'

10' UTILITY EASEMENT

2.119 ACRES
92,283 SQ. FEET

7.664 ACRES
333,838 SQ. FEET

COVENANT LEGACY, LLP
37.34 ACRES
DOCUMENT NO. 2009-04635

JARRETT MENESEE SURVEY ABSTRACT NO. 520

N 37°54'02" E 300.00'

S 37°54'02" W 589.03'

107.22'
S 60°05'56" W

N 52°05'58" W 392.16'

S 29°53'28" E 355.07'

OAK TREE ADDITION BLOCK 8 PHASE V

LOT 6

FRONTIER EXCHANGE LANDLORD GROUP LLC
DOCUMENT NO. 2021-05162

S 37°16'40" W 432.35'

OVERHEAD ELECTRIC TRANSMISSION LINE
BRAZOS RIVER TRANSMISSION
VOL. 280, PG. 351

CENSUS LINE

CENSUS LINE

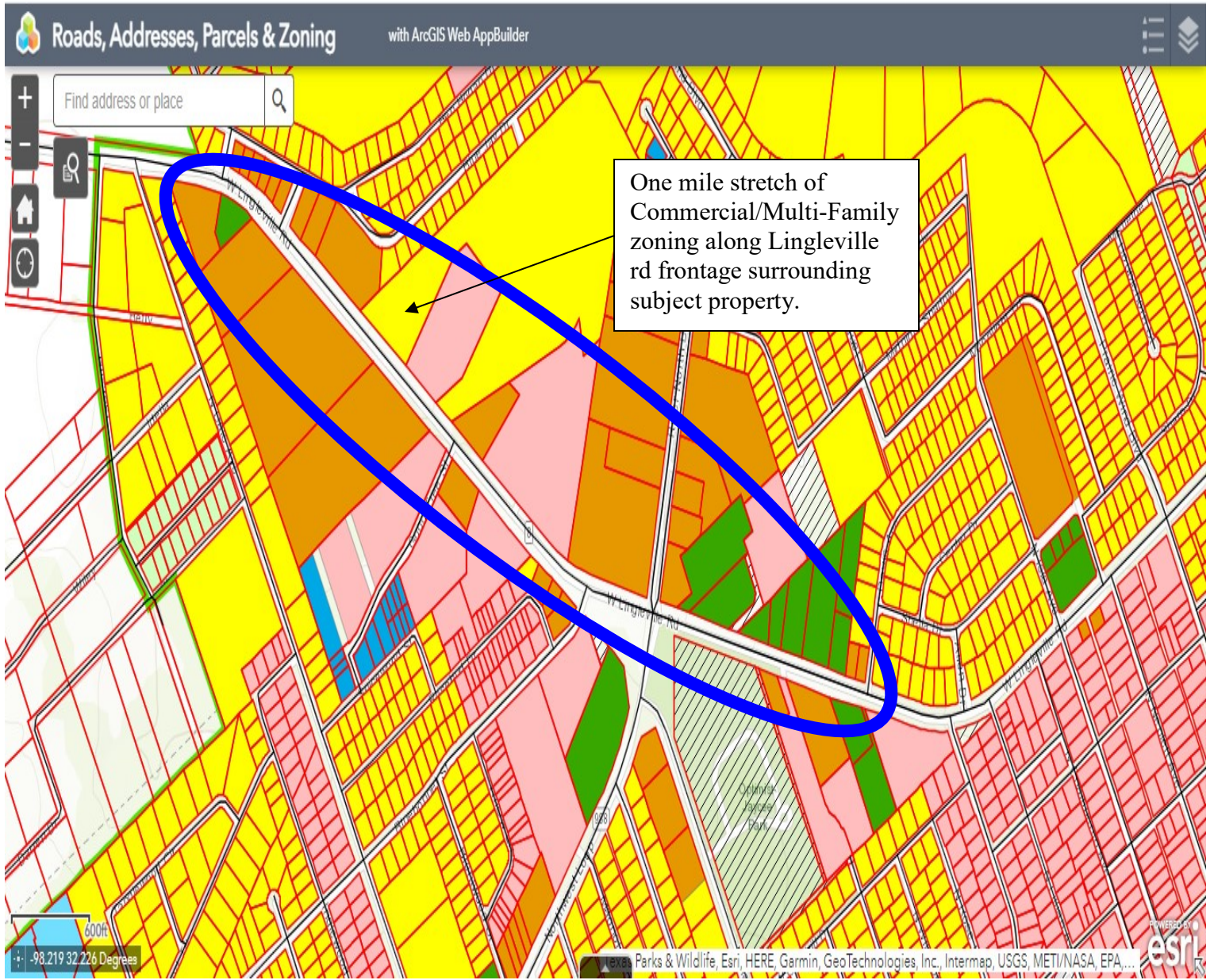
LINGLEVILLE HIGHWAY
(E.M. HIGHWAY NO. 8)

N 55°58'36" W 363.86'

120'

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 55°58'36" W | 60.14' |





Ben Hogan
Blue Jay Dr



Inbotham Brothers

Dollar General

Straight from

Document No. 2009-04635

DEED

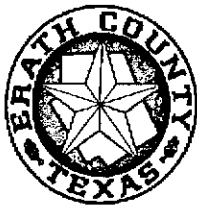
Parties: BROOKS TOM J
to
COVENANT LEGACY LLP

FILED AND RECORDED
REAL RECORDS
On: 10/13/2009 at 02:04 PM

Document Number: 2009-04635
Receipt No. 7472
Amount: \$28.00

By: gallen
Gwinda Jones, County Clerk
Erath County, Texas

5 Pages



STATE OF TEXAS
County of Erath

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded under the Document Number stamped hereon of the Official Public Records of Erath County.

Gwinda Jones, County Clerk

Record and Return To:
KING ABSTRACT COMPANY



Ret KAC

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

GF: 09-22846
DATE: October 13, 2009
GRANTOR: Tom J. Brooks
GRANTEE: Covenant Legacy, LLP

GRANTEE'S MAILING ADDRESS: 2915 W Washington, Stephenville, Texas 76401

CONSIDERATION: TEN AND NO/100 DOLLARS and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged and for which no liens, either express or implied, are retained against the property.

PROPERTY (including any improvements):

All that certain 37.34 acre tract of land, being part of the Jarrett Menafee Survey, Abstract No. 50 in the City of Stephenville, Erath County, Texas and being more fully described in Exhibit A attached hereto and fully incorporated herein for all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severance, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

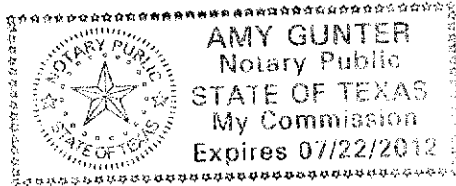
When the context requires, singular nouns and pronouns include the plural.


TOM J BROOKS

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF ERATH §

This instrument was acknowledged before me on the 13th day of October, 2009, by Tom J Brooks.



Amy Gunter
Notary Public, State of Texas

NOTICE

This instrument has been prepared solely from information and on instructions furnished by our client. No title opinion or other title evidence has been furnished to us in connection with its preparation.

William H. Oxford, Attorney

PREPARED IN THE LAW OFFICE OF:
William H. Oxford
159 South Graham
Stephenville, Texas 76401

AFTER RECORDING RETURN TO:
King Abstract Company
159 South Graham
Stephenville, Texas 76401

EXHIBIT "A"

All that certain 37.34 acre tract of land, being part of the Jarrett Menefee Survey, Abstract No. 520, in the City of Stephenville, Erath County, Texas, being part of that certain 39.40 acre tract of land described as Tract II in Substitute Trustee's Deed from Rebecca S. Ragsdale, Substitute Trustee to Amwest Savings Association, dated November 6, 1990 and recorded in Volume 808, Page 107 of the Deed Records of Erath County, Texas, including all of Lots 1 and 2 of Block 7 of the Oak Tree Addition, Phase IV to the City of Stephenville as shown on a plat thereof recorded in Cabinet A, Slide 185 of the Plat Records of Erath County, Texas and described as follows: BEGINNING at an iron rod set in the present northeast right of way line of Farm Road No. 8 (Ungleville Highway), being the SW corner of Lot 1 and the most westerly NW corner of Lot 3 of Block 7 of the Oak Tree Addition, Phase IV, for the SW corner of this tract;

THENCE N 55° 25' 37" W along the present northeast right of way line of Farm Road No. 8, passing the NW corner of Lot 1 and the SW corner of Lot 2, passing the NW corner of said Lot 2, containing in all 1128.82' to an iron rod set at the NW corner of said 39.40 acre tract, being the SW corner of Lot 1 of Block 15 of Golf Country Addition to the City of Stephenville as shown on a plat recorded in Volume 2, Page 7 of the Plat Records of Erath County, Texas, for the NW corner of this tract;

THENCE N 60° 08' 53" E, 180.90' to an iron rod found at the SE corner of said Lot 1 of Block 15, and the SW corner of Lot 1 of Block 2 of the Oak Tree Addition to the City of Stephenville as shown on a plat thereof recorded in Volume 2, Page 71 of the Plat Records of Erath County, Texas, for a corner of this tract;

THENCE N 60° 39' 31" E along the south lines of Block 2 and 3 of the Oak Tree Addition, 1777.98' to an iron rod set at the most northerly corner of said 39.40 acre tract, for the most northerly corner of this tract;

THENCE along the northeast lines of said 39.40 acre tract as follows, S 86° 07' 35" E, 122.10' to an iron rod set and S 42° 01' 08" E, 452.12' to an iron rod set at the most easterly corner of said 39.40 acre tract and a corner of Lot 1 of Block 18 of the River North Phase II Addition to the City of Stephenville, Erath County, Texas, for the most easterly corner of this tract;

THENCE along a fence line along the east line of said 39.40 acre tract and west lines of Block 18 and Block 20 of the River North Addition Phase II as follows, S 50° 21' 43" W, 116.96' to an iron spike found in a post oak tree fence corner, S 33° 38' 25" W, 130.51' to an iron rod set, S 09° 45' W, 32.60' to an iron spike found in an elm tree fence corner, S 17° 32' 48" W, 68.69' to an iron spike found in a hackberry tree fence corner and S 14° 15' 36" W, 477.72' to an iron rod found at the most easterly NE corner of Lot 3 of Block 7 of the Oak Tree Addition Phase IV, for a corner of this tract;

THENCE S 59° 59' 59" W along the south line of the Jarrett Menefee Survey, 152.28' to an iron rod found at an inner corner of said Lot 3, for a corner of this tract;

THENCE N 10° 33' 02" W, 162.97' to an iron rod set at the most northerly NE corner of Lot 3, for a corner of this tract;

TJB

THENCE along the north line of said Lot 3 as follows, being along a curve to the right, radius = 314.65', long chord = S 51° 22' 22" W, 187.19' along a curve distance of 190.06' to an iron rod found at the end of said curve, and S 68° 40' 40" W, 411.77' to an iron rod found at the most easterly NW corner of Lot 3 and the NE corner of Lot 2 of said Block 7, for a corner of this tract; THENCE S 55° 18' 27" E, 207.65' to an iron rod found at an inner corner of Lot 3 and the SE corner of Lot 2, for a corner of this tract;

THENCE along the common lines of Lot 3, Block 7 and Lots 1 and 2, Block 7, as follows:

1. S 59° 59' 59" W, 90.64' to an iron rod found;
2. N 56° 01' 13" W, 77.68' to an iron rod found;
3. S 34° 50' 48" W, 48.55' to an iron rod found;
4. S 56° 01' 13" E, 54.72' to an iron rod found;
5. And S 59° 59' 59" W, 283.27' to the place of beginning and containing 37.34 acres of land.

SAVE AND EXCEPT from the above-described 37.34 acre tract of land, 5.459 acres as described in a Warranty Deed dated April 29, 1996 from Tom J. Brooks to K. L. Karnes Construction Co., Inc. recorded in Volume 911, Page 573 Real Records of Erath County, Texas.

AND FURTHER SAVE AND EXCEPT from the above-described 37.34 acre tract of land, 0.420 acres (18,315.3 square feet) of land out of Lots 1 and 2, Block 7, Oak Tree Addition, Phase IV as described in Spedal Warranty Deed of Gift dated December 13, 2001 from Tom J. Brooks to Wentwood Elwood I, L.P. recorded in Volume 1059, Page 655 Real Records of Erath County, Texas.

TJB



Retirement Living for Seniors, Ltd Planned Development Timeline

1. Predevelopment:

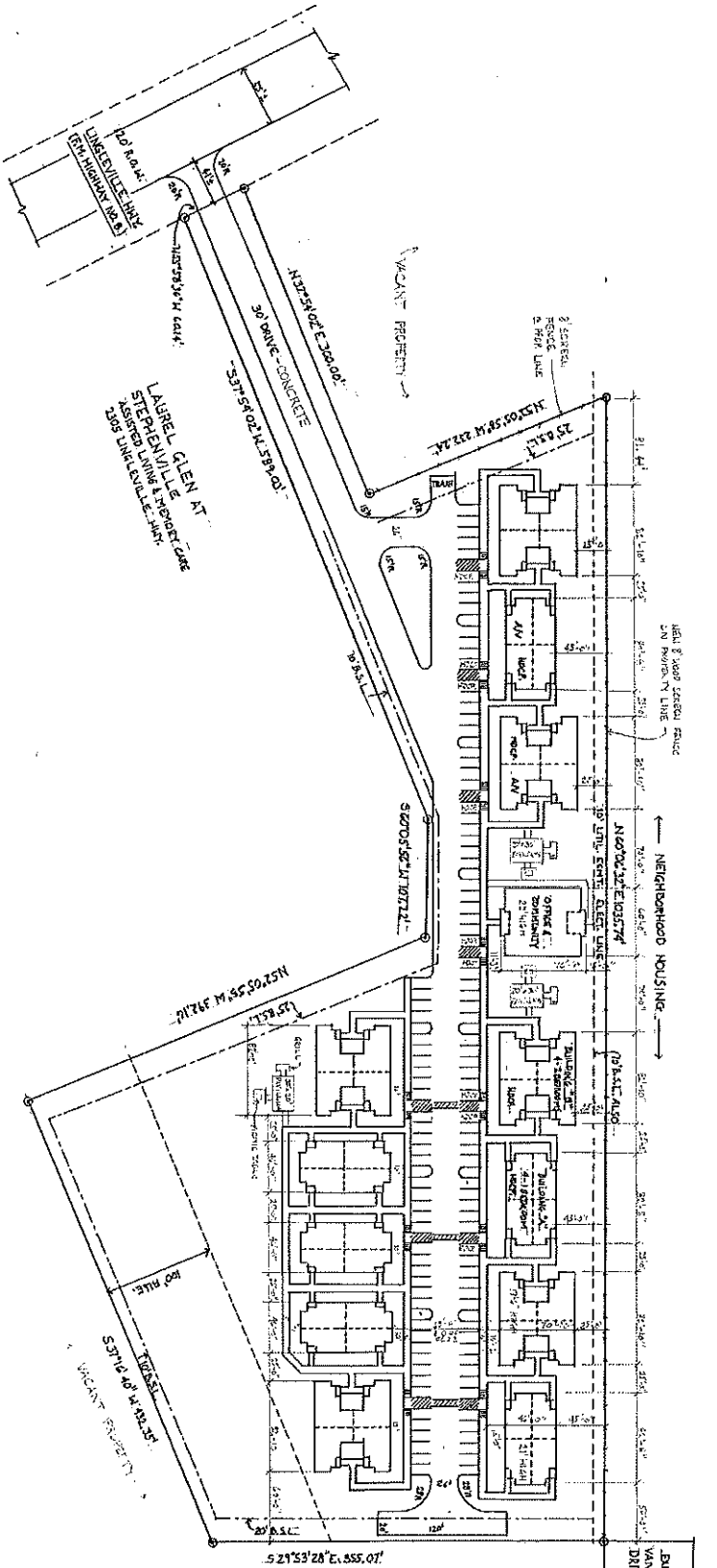
Upon full approval by the Stephenville City Council, it is the intent of the Developer to produce and submit final engineering plans and building plans to the Building Department for review. Once approved, the Developer will immediately begin construction of all civil improvements (roads, utilities, drainage, etc...). The development consists of combination of twenty-four (24) – one (1) bedroom units which will consist of six (6) buildings and twenty-four (24) – two (2) bedroom units which will consist of six (6) buildings. The development will serve the Elderly population with forty-two (42) units will be income restricted under the Housing Tax-Credit program and six (6) units will be at market rate. The units will each have amenities such as washer and dryer connections, carpet and vinyl flooring, refrigerator, range, disposal and window coverings. Included will be a furnished community room, a community laundry room, gazebo with sitting area and barbeque grills with picnic tables. The office will provide Supportive services for the seniors. There are floorplans per building that are both one (1) bedroom one (1) bath and two (2) bedrooms one (1) bath. All units will be handicap accessible. The buildings will have uniform exteriors consisting of 90% brick and balance hardy plank including thirty 30-year shingled roofs.

2. Civil Improvements:

Once final engineering has been approved, the Developer will begin construction on all civil improvements and complete them in one phase.

3. General Construction:

The Developer plans to commence construction on the forty-eight (48) units and community building as soon as permits are approved and issued. Construction of each building is estimated at approximately ninety (90) days. After evaluating past development projects currently under construction, the Developer anticipates the completion of all forty-eight (48) residential units within twelve (12) months of initial construction. Upon approval of the Planned Development, the Developer will produce a more defined development timeline including start and completion dates.



| BUILDING TYPE | NO. OF UNITS | FLOOR AREA | NET AREA | PERCENTAGE OF TOTAL | PERCENTAGE OF TOTAL | PERCENTAGE OF TOTAL |
|---------------|--------------|------------|----------|---------------------|---------------------|---------------------|
| 1 BEDROOM | 6 | 2,448 SF | 10.1% | 10.1% | 10.1% | 10.1% |
| 2 BEDROOM | 6 | 4,896 SF | 20.2% | 20.2% | 20.2% | 20.2% |
| TOTALS | 12 | 7,344 SF | 30.3% | 30.3% | 30.3% | 30.3% |

* THE COMMONS BUILDING IS COMMON AREA AND IS NOT INCLUDED IN THE NET TOTALS.

| UNIT SYNOPSIS | UNIT TYPE | NUMBER OF UNITS | FLOOR AREA | NET AREA | PERCENTAGE OF TOTAL |
|---------------|-----------|-----------------|------------|----------|---------------------|
| 1 BEDROOM | 6 | 2,448 SF | 10.1% | 10.1% | 10.1% |
| 2 BEDROOM | 6 | 4,896 SF | 20.2% | 20.2% | 20.2% |
| TOTALS | 12 | 7,344 SF | 30.3% | 30.3% | 30.3% |

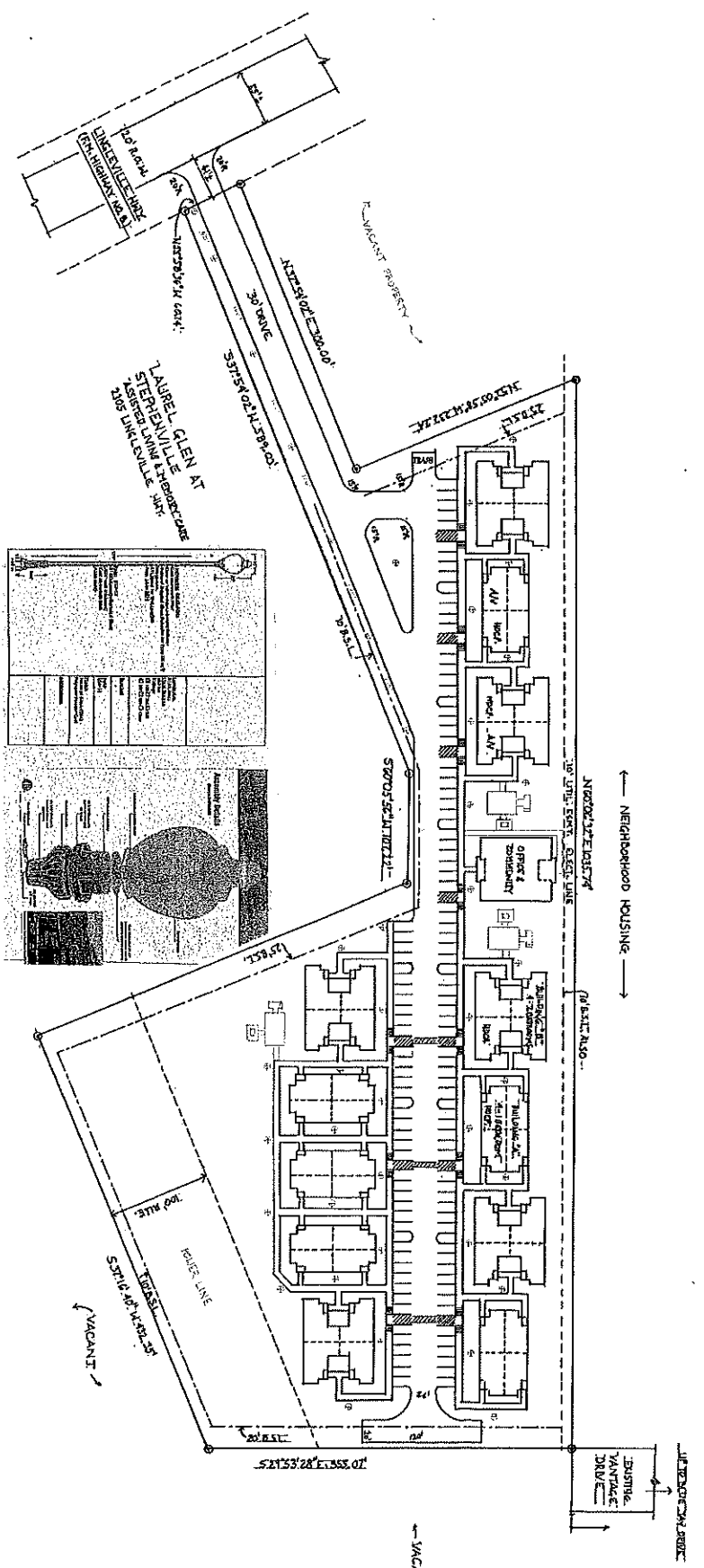
HEALTH AREA/UNIT IS BASED ON THE NET REARABLE AREA (NRA) WHICH IS TO THE OUTSIDE FACE OF THE EXTERIOR WALL STUCCO AND OVER OF STUCCO AT COMMON WALLS.

SITE PLAN
 1" = 30'-0"
 7,344 SQUARE FEET
 NORTH

REQUIRED PARKING:
 16 SPACES PER BEDROOM
 14 SPACES PER 2-BEDROOM
 28 SPACES PER 3-BEDROOM
 28 SPACES PER 4-BEDROOM
 28 SPACES PER 5-BEDROOM
 28 SPACES PER 6-BEDROOM
 28 SPACES PER 7-BEDROOM
 28 SPACES PER 8-BEDROOM
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DATE: 12/21/21
 SHEET: 1 OF 2
 PROJECT: A PROPOSED NEW SENIOR APARTMENT PROJECT FOR RETIREMENT LIVING FOR SENIORS, LTD.
 PREPARED BY: STEPHENVALE TRAYS



| BUILDING TYPE | UNIT TYPE | NO. OF UNITS | NO. OF BDRMS | NO. OF BATHS | NO. OF KITCHENS | NO. OF LIVING AREAS | NO. OF DINING AREAS | NO. OF BREAKFAST ROOMS | NO. OF CLOSET | NO. OF TERRACE | NO. OF BALCONY | NO. OF PORCH | NO. OF GARAGE | NO. OF STORAGE | NO. OF OTHER | TOTAL |
|----------------|-----------|--------------|--------------|--------------|-----------------|---------------------|---------------------|------------------------|---------------|----------------|----------------|--------------|---------------|----------------|--------------|-------|
| COMMUNITY BLDG | 1 BR | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| BLDG TYPE A | 2 BR | 12 | 24 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| BLDG TYPE B | 3 BR | 12 | 36 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| TOTALS | | 36 | 72 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 |

* THE COMMUNITY BUILDING IS CONSIDERED AS A PART OF THE NET REVENUE AREA WHICH IS TO THE OUTSIDE EDGE OF THE EXISTING STUDY AREA OF 5700'S AT COMPLEX BLDGS.

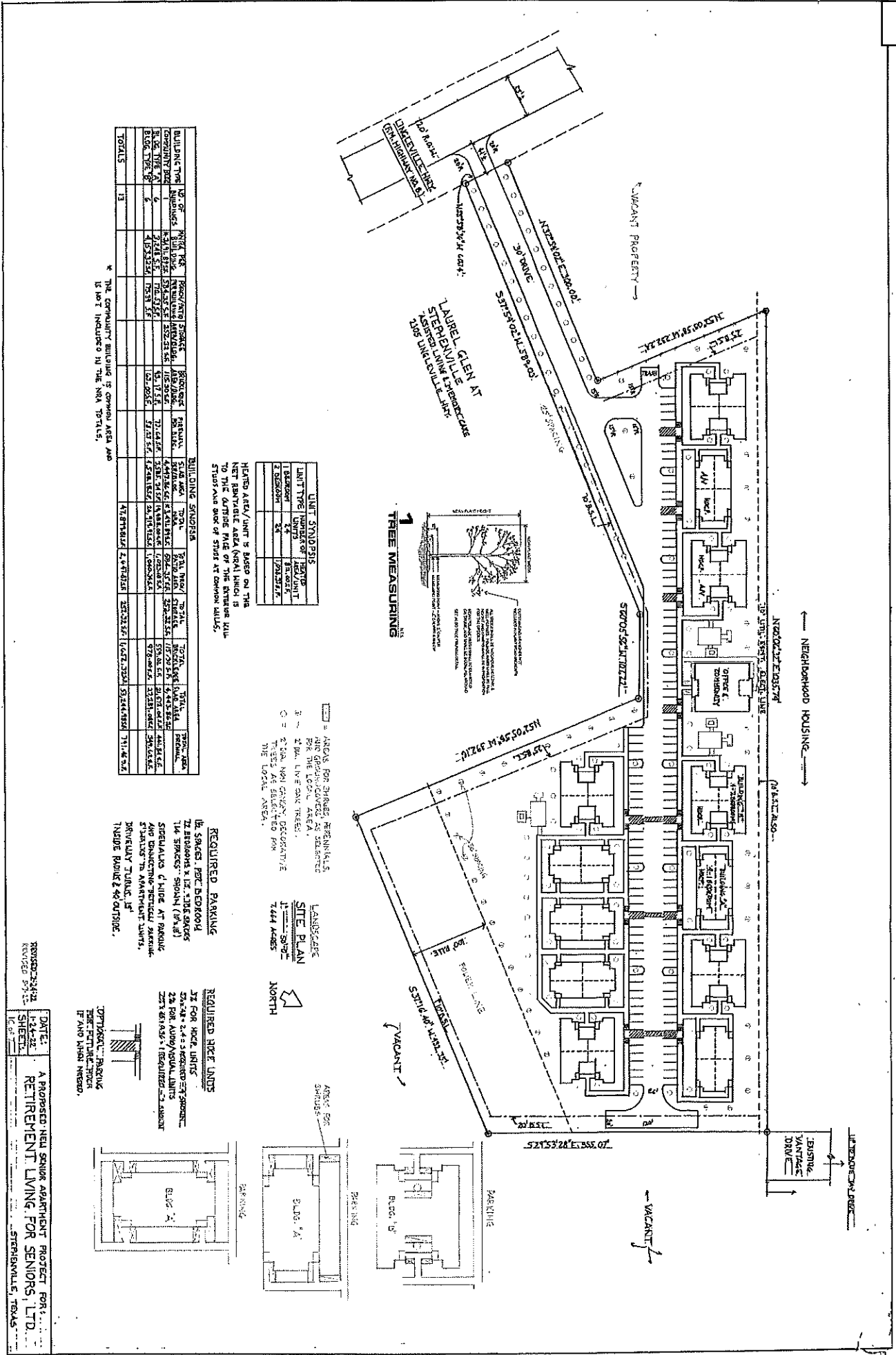
| UNIT SYNOPSIS | UNIT TYPE | NUMBER OF UNITS | NO. OF BDRMS | NO. OF BATHS | NO. OF KITCHENS | NO. OF LIVING AREAS | NO. OF DINING AREAS | NO. OF BREAKFAST ROOMS | NO. OF CLOSET | NO. OF TERRACE | NO. OF BALCONY | NO. OF PORCH | NO. OF GARAGE | NO. OF STORAGE | NO. OF OTHER |
|---------------|-----------|-----------------|--------------|--------------|-----------------|---------------------|---------------------|------------------------|---------------|----------------|----------------|--------------|---------------|----------------|--------------|
| 1 BR | 1 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| 2 BR | 12 | 24 | 24 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| 3 BR | 12 | 36 | 36 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |

NET REVENUE AREA (NRA) WHICH IS TO THE OUTSIDE EDGE OF THE EXISTING STUDY AREA OF 5700'S AT COMPLEX BLDGS.

SITE PLAN
 1" = 50'-0"
 7,444 SQUARE FEET
 NORTH

- REQUIRED PARKING
 - 16 SPACES FOR BEDROOM
 - 72 SPACES FOR 2 BR + 108 SPACES FOR 3 BR (TOTAL)
 - STORAGE AND WIDE AT PARKING
 - AND CONNECTING BETWEEN PARKING SPACES TO APARTMENT UNITS.
 - DRIVEWAY TUNNEL 12"
 - INSIDE PARKING 40 OUTSIDE.
- REQUIRED FIRE UNITS
 - 1 1/2 FOR HOOR UNITS
 - 50x70x 2-4-3 REQUIRED 27-3000BT
 - 23 FOR AUTO/VEHICLE UNITS
 - 207x 40x 30x 30" (REQUIRED) 2-2-2000BT
- OPTIONAL PARKING
 - FOR PARKING AREA IF AND WHEN NEEDED.

REVISION: 23-4-82
 REVISION: 23-4-82
 DATE: A PROPOSED NEW SENIOR APARTMENT PROJECT FOR RETIREMENT LIVING FOR SENIORS, LTD.
 STEPHENVILLE, TEXAS



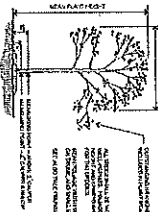
| BUILDING TYPE | NO. OF UNITS | NET AREA (SQ. FT.) | RENTAL AREA (SQ. FT.) | COMMON AREA (SQ. FT.) | STAIRS (SQ. FT.) | MECHANICAL (SQ. FT.) | TRASH (SQ. FT.) | LANDSCAPE (SQ. FT.) | TOTAL (SQ. FT.) |
|----------------|--------------|--------------------|-----------------------|-----------------------|------------------|----------------------|-----------------|---------------------|-----------------|
| COMMUNITY BLDG | 13 | 18,741.81 | 17,241.81 | 1,500.00 | 100.00 | 100.00 | 100.00 | 100.00 | 19,141.81 |
| COMMUNITY BLDG | 6 | 8,543.57 | 7,743.57 | 800.00 | 50.00 | 50.00 | 50.00 | 50.00 | 8,993.57 |
| BLDG. TYPE 'B' | 6 | 4,553.57 | 4,153.57 | 400.00 | 25.00 | 25.00 | 25.00 | 25.00 | 4,678.57 |
| TOTALS | 25 | 31,838.95 | 29,138.95 | 2,700.00 | 175.00 | 175.00 | 175.00 | 175.00 | 33,072.95 |

* THE COMMUNITY BUILDING IS COMMON AREA AND IS NOT INCLUDED IN THE NHA TOTALS.

| UNIT SYNOPSIS | UNIT TYPE | NO. OF UNITS | NET AREA (SQ. FT.) | RENTAL AREA (SQ. FT.) | COMMON AREA (SQ. FT.) | STAIRS (SQ. FT.) | MECHANICAL (SQ. FT.) | TRASH (SQ. FT.) | LANDSCAPE (SQ. FT.) | TOTAL (SQ. FT.) |
|---------------|-------------|--------------|--------------------|-----------------------|-----------------------|------------------|----------------------|-----------------|---------------------|-----------------|
| 1 BR/1 BATH | 1 BR/1 BATH | 13 | 18,741.81 | 17,241.81 | 1,500.00 | 100.00 | 100.00 | 100.00 | 100.00 | 19,141.81 |
| 2 BR/2 BATH | 2 BR/2 BATH | 6 | 8,543.57 | 7,743.57 | 800.00 | 50.00 | 50.00 | 50.00 | 50.00 | 8,993.57 |
| 3 BR/3 BATH | 3 BR/3 BATH | 6 | 4,553.57 | 4,153.57 | 400.00 | 25.00 | 25.00 | 25.00 | 25.00 | 4,678.57 |

HEATED AREA/UNIT IS BASED ON THE NET RENTABLE AREA (NRA) WHICH IS TO THE CENTER LINE OF THE EXTERIOR WALLS AND ONE (1) FOOT AT COMMON WALLS.

1 TREE MEASURING



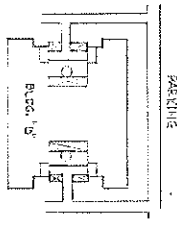
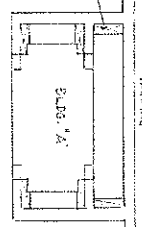
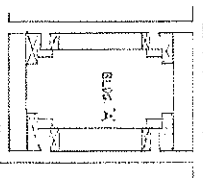
- AREA FOR BRUSH, WEEDS, AND GRASS/CROPS AS SELECTED FOR THE LOCAL AREA.
- 2" DIA. LIVE OAK TREES.
- 4" DIA. LIVE OAK TREES.
- 6" DIA. LIVE OAK TREES.
- 8" DIA. LIVE OAK TREES.
- 10" DIA. LIVE OAK TREES.
- 12" DIA. LIVE OAK TREES.
- 14" DIA. LIVE OAK TREES.
- 16" DIA. LIVE OAK TREES.
- 18" DIA. LIVE OAK TREES.
- 20" DIA. LIVE OAK TREES.
- 22" DIA. LIVE OAK TREES.
- 24" DIA. LIVE OAK TREES.
- 26" DIA. LIVE OAK TREES.
- 28" DIA. LIVE OAK TREES.
- 30" DIA. LIVE OAK TREES.
- 32" DIA. LIVE OAK TREES.
- 34" DIA. LIVE OAK TREES.
- 36" DIA. LIVE OAK TREES.
- 38" DIA. LIVE OAK TREES.
- 40" DIA. LIVE OAK TREES.
- 42" DIA. LIVE OAK TREES.
- 44" DIA. LIVE OAK TREES.
- 46" DIA. LIVE OAK TREES.
- 48" DIA. LIVE OAK TREES.
- 50" DIA. LIVE OAK TREES.
- 52" DIA. LIVE OAK TREES.
- 54" DIA. LIVE OAK TREES.
- 56" DIA. LIVE OAK TREES.
- 58" DIA. LIVE OAK TREES.
- 60" DIA. LIVE OAK TREES.
- 62" DIA. LIVE OAK TREES.
- 64" DIA. LIVE OAK TREES.
- 66" DIA. LIVE OAK TREES.
- 68" DIA. LIVE OAK TREES.
- 70" DIA. LIVE OAK TREES.
- 72" DIA. LIVE OAK TREES.
- 74" DIA. LIVE OAK TREES.
- 76" DIA. LIVE OAK TREES.
- 78" DIA. LIVE OAK TREES.
- 80" DIA. LIVE OAK TREES.
- 82" DIA. LIVE OAK TREES.
- 84" DIA. LIVE OAK TREES.
- 86" DIA. LIVE OAK TREES.
- 88" DIA. LIVE OAK TREES.
- 90" DIA. LIVE OAK TREES.
- 92" DIA. LIVE OAK TREES.
- 94" DIA. LIVE OAK TREES.
- 96" DIA. LIVE OAK TREES.
- 98" DIA. LIVE OAK TREES.
- 100" DIA. LIVE OAK TREES.

LANDSCAPE
SITE PLAN
1" = 20'
T444 ADAS
NORTH

REQUIRED PARKING
14 SPACES PER BEDROOM
14 SPACES PER BATH
14 SPACES PER KITCHEN
14 SPACES PER LIVING
14 SPACES PER DINING
14 SPACES PER BREAKFAST
14 SPACES PER ENTRY
14 SPACES PER HALLWAY
14 SPACES PER STAIRS
14 SPACES PER ELEVATOR
14 SPACES PER MECHANICAL
14 SPACES PER TRASH
14 SPACES PER LANDSCAPE
14 SPACES PER TOTAL

REQUIRED FIRE UNITS
17 FOR EACH UNIT
17 FOR EACH COMMON AREA
17 FOR EACH STAIRS
17 FOR EACH ELEVATOR
17 FOR EACH MECHANICAL
17 FOR EACH TRASH
17 FOR EACH LANDSCAPE
17 FOR EACH TOTAL

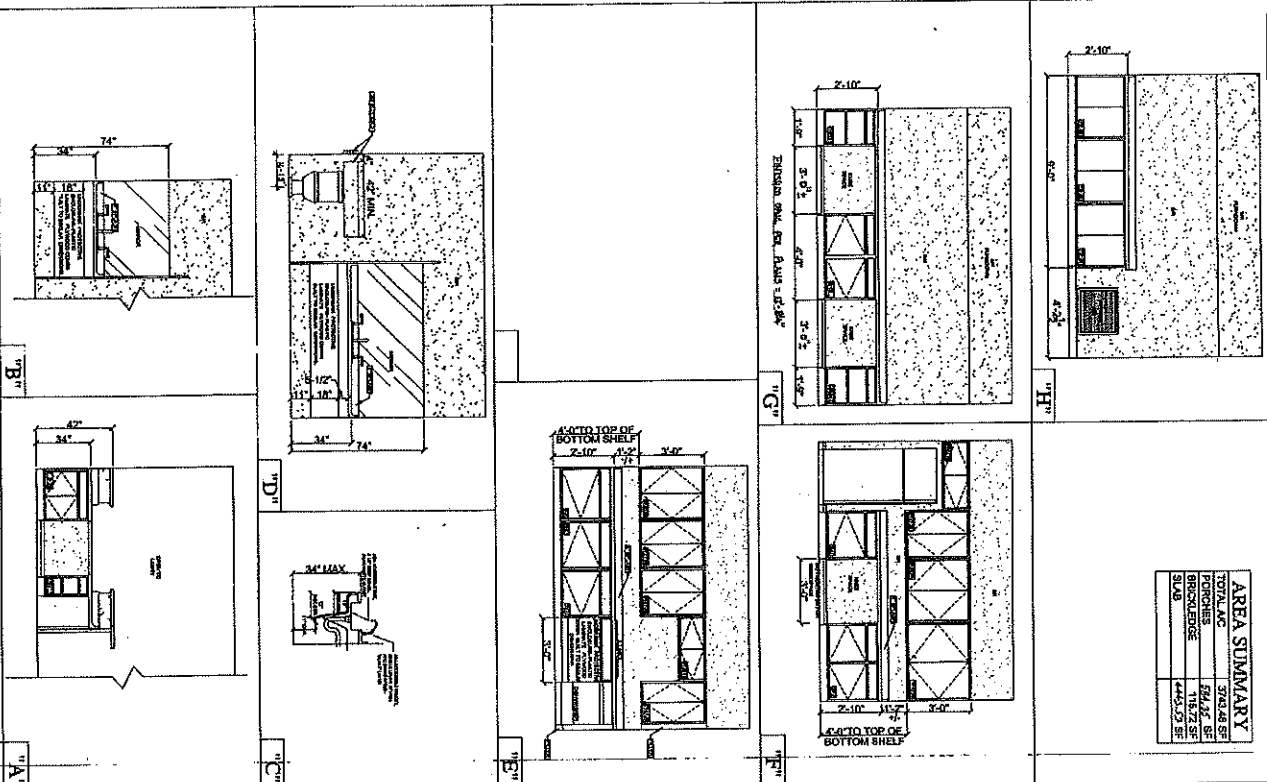
OPTIONAL PARKING
FOR FUTURE PHASE
IF AND WHEN NEEDED



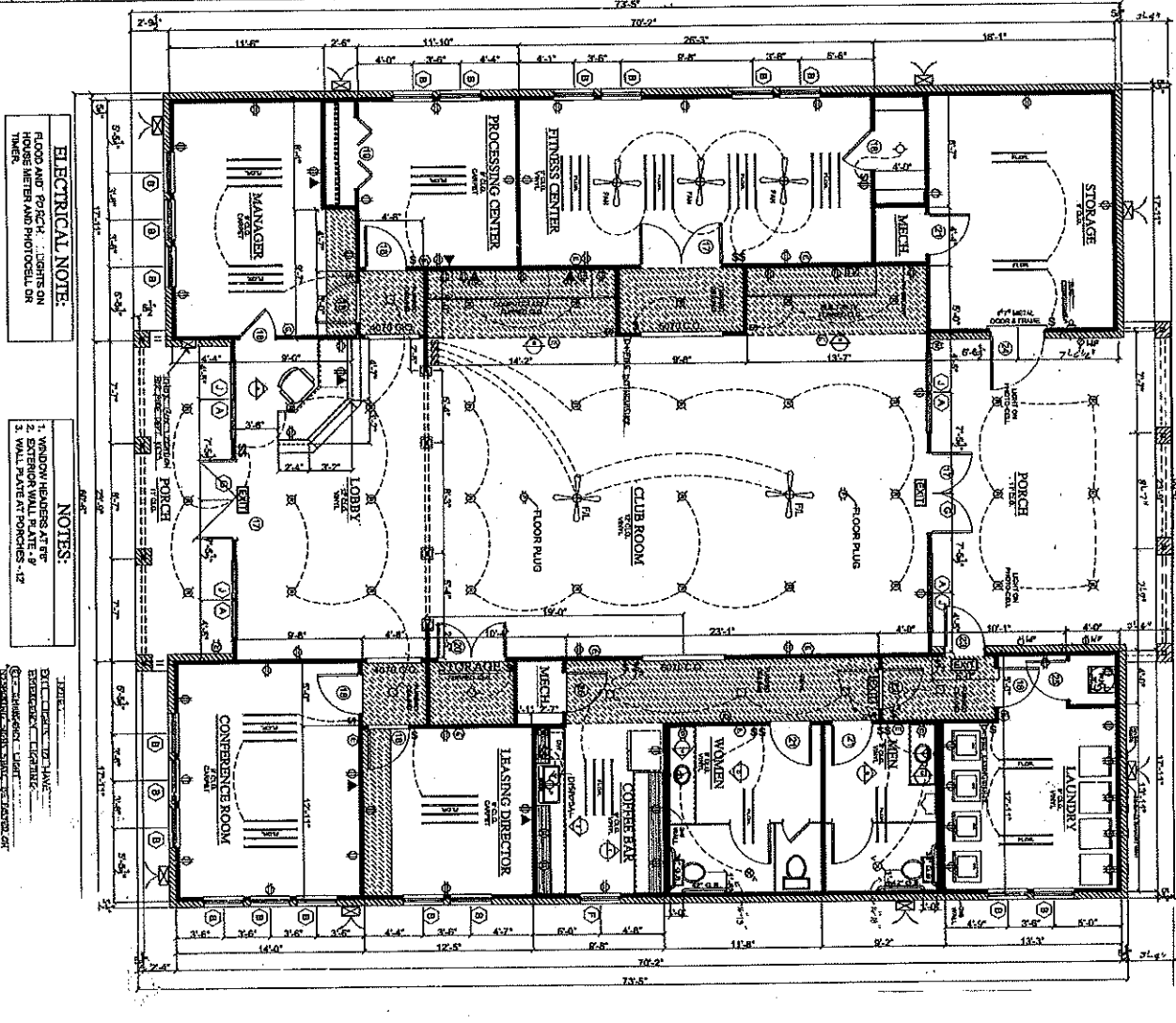
REVISED 2/24/22
SHEET 1 OF 1

DATE: 1-24-22
SHEET: 1 OF 1
A PROPOSED NEW SENIOR APARTMENT PROJECT FOR...
RETIREMENT LIVING FOR SENIORS, LTD.
STERLINGVILLE, TEXAS

CABINET ELEVATIONS

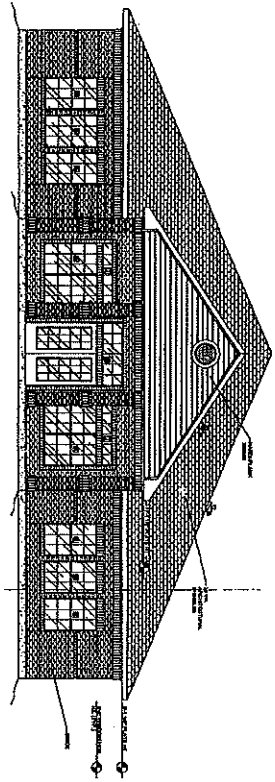


02 CLUBHOUSE FLOOR PLAN



SCALE: 1/4" = 1'-0" 01

DATE: 1-24-22
SHEET: 2 of 7
A PROPOSED NEW SENIOR APARTMENT PROJECT FOR:
RETIREMENT LIVING FOR SENIORS, LTD.
STEPHENVILLE, TEXAS

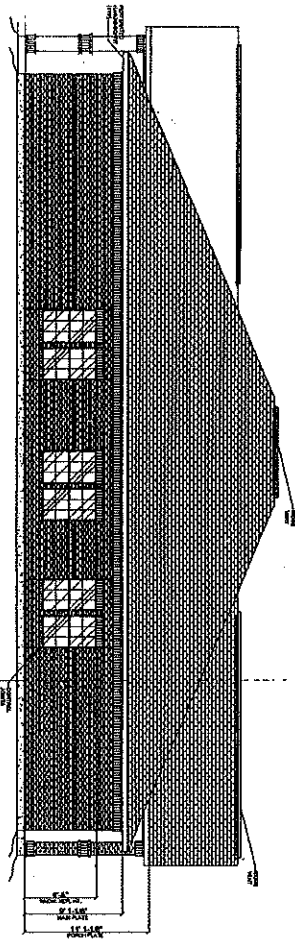
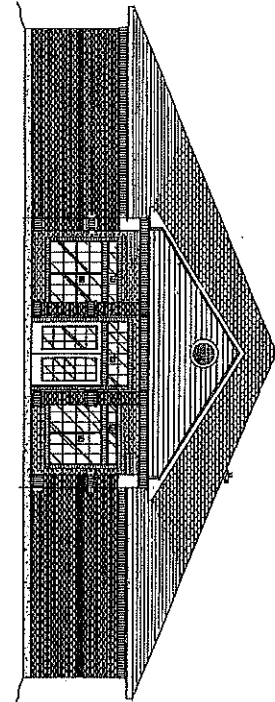


CLUBHOUSE FRONT ELEVATION

SCALE: 3/16" = 1'-0"

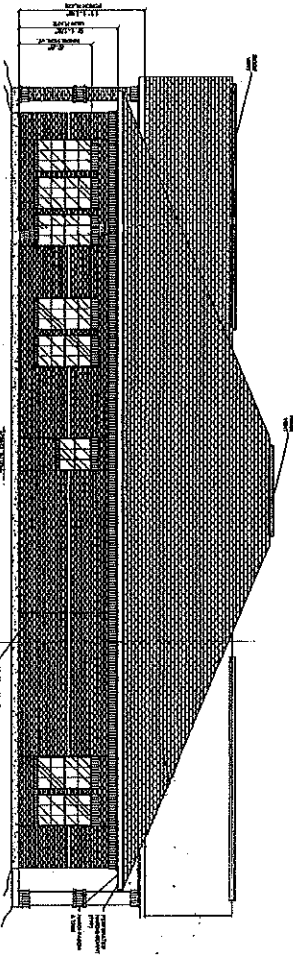
CLUBHOUSE REAR ELEVATION

SCALE: 3/16" = 1'-0"



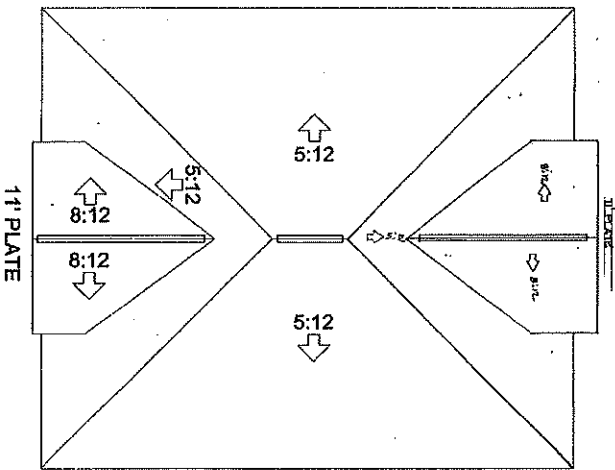
CLUBHOUSE LEFT ELEVATION

SCALE: 3/16" = 1'-0"



CLUBHOUSE RIGHT ELEVATION

SCALE: 3/16" = 1'-0"

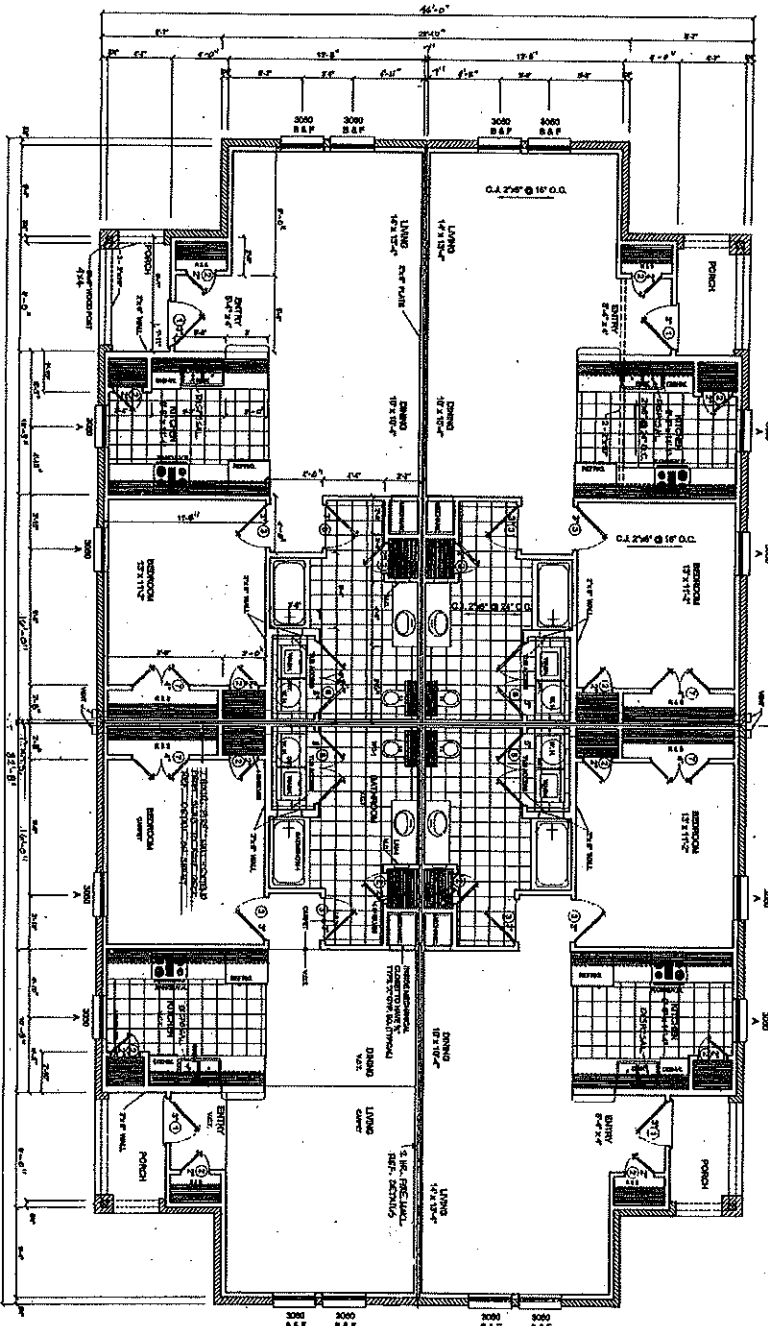


NOTE: ALL PLATES 9' AND ALL ROOF SLOPES 5:12 UNLESS OTHERWISE NOTED

14' PLATE

CLUBHOUSE ROOF PLAN

DATE: 1-24-22
 SHEET: 3 of 7
 A PROPOSED NEW SENIOR APARTMENT PROJECT - SRB - RETIREMENT LIVING FOR SENIORS, LTD
 STEPHENVILLE, TEXAS



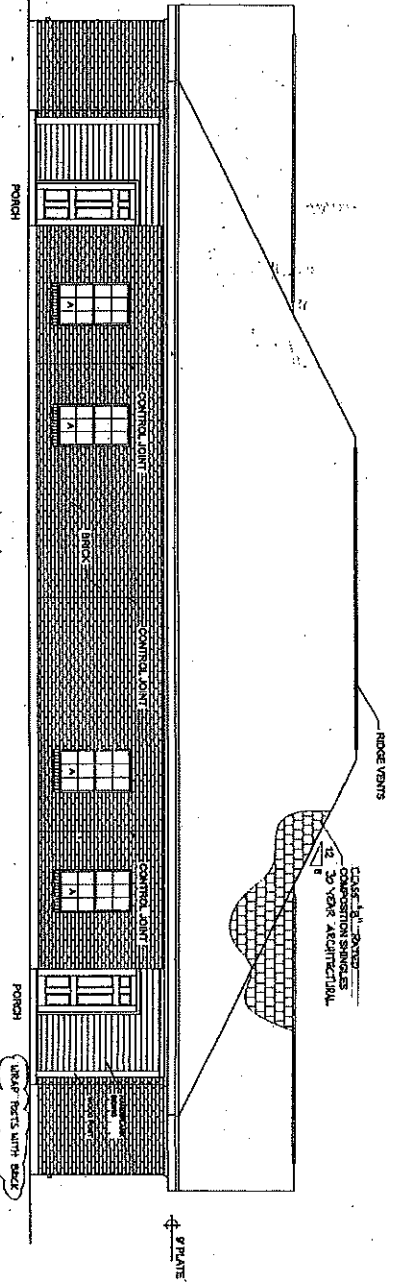
FLOOR PLAN
 1/4" = 1'-0"
BUILDING 'A' - ONE BEDROOM FOURPLEX
 ALL CEILING HEIGHT 8'-0"

NET RENTABLE AREA (N.R.A.) (SCHEDULED) 2,345 S.F.
 GROSS RENTABLE AREA (G.R.A.) 2,800 S.F.
 COMMON AREA 1,017 S.F.
 HALLWAY 1,017 S.F.
 UTILITY 1,017 S.F.
 NET RENTABLE AREA PER UNIT 581.25 S.F.

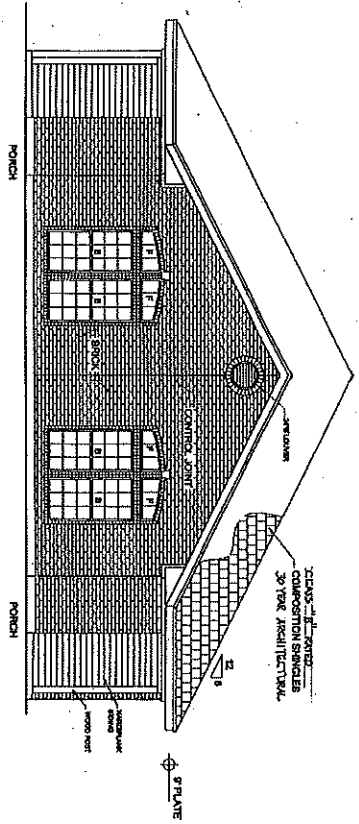
NOTES:
 1. ALL DOOR SWINGS TO BE SHOWN.

DATE: 1-24-22
 SHEET: 1 of 7
 A PROPOSED NEW SENIOR APARTMENT PROJECT FOR
 RETIREMENT LIVING FOR SENIORS, LTD.
 STENOBIVILLE, TEXAS

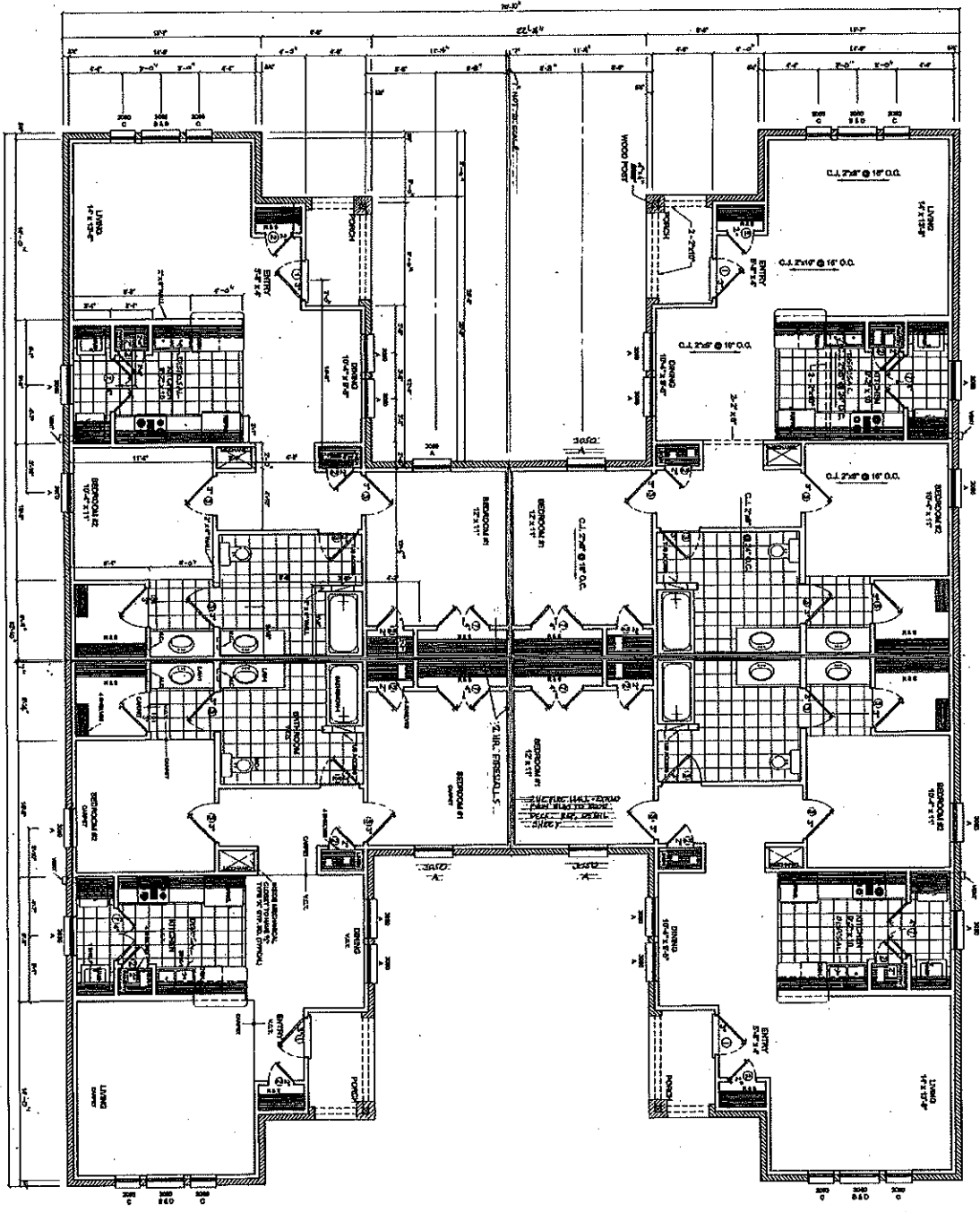
SIDE ELEVATION
 $\frac{1}{4}" = 10'$
BUILDING "A" - ONE BEDROOM FOURPLEX



END ELEVATION
 $\frac{1}{4}" = 10'$



DATE: 1-24-12
 SHEET: 50471
 PROJECT: A PROPOSED NEW SENIOR APARTMENT PROJECT FOR:
 RETIREMENT LIVING FOR SENIORS, LTD
 STEPHENVILLE, TEXAS

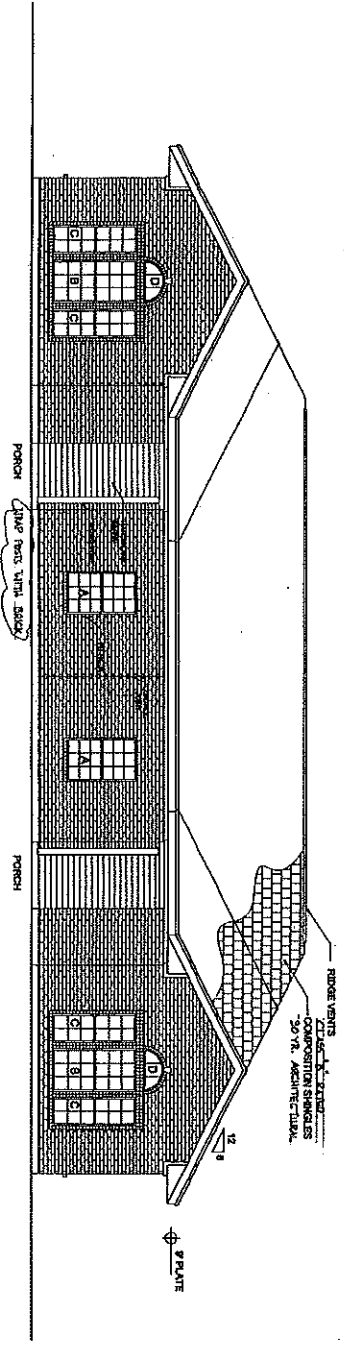


FLOOR PLAN
 1/4" = 1'-0"
BUILDING "B" - TWO BEDROOM FOURPLEX
 ALL CEILING HEIGHT 8'-0"

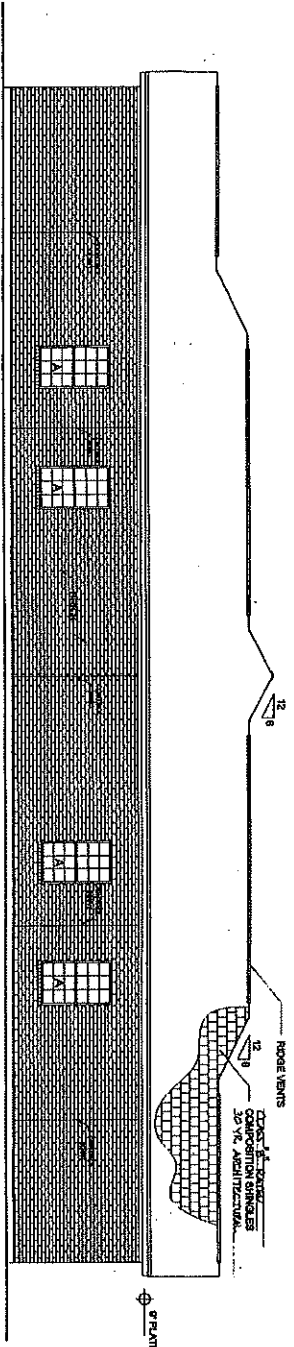
NOTE: REFER TO THE ARCHITECTURAL DRAWINGS FOR THE EXACT LOCATION OF THE FLOOR TO CEILING HEIGHTS.
 REFER TO THE ARCHITECTURAL DRAWINGS FOR THE EXACT LOCATION OF THE FLOOR TO CEILING HEIGHTS.
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DATE: 1-26-22
 SHEET: 1 OF 7
 A PROPOSED SENIOR APARTMENT PROJECT FOR:
RETIREMENT LIVING FOR SENIORS, LTD
 STERLING, TEXAS

END ELEVATION
1/4" = 10'



SIDE ELEVATION
1/4" = 10'
BUILDING 'B' - TWO BEDROOM FOURPLEX



DATE: 12-4-92
SHEET: 7 OF 7
A PROPOSED NEW SENIOR APARTMENT PROJECT FOR:
RETIREMENT LIVING FOR SENIORS, LTD
SPRINGHILL, TEXAS