



SPECIALY CALLED PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington
Monday, October 09, 2023 at 5:30 PM

AGENDA

CALL TO ORDER

MINUTES

PUBLIC HEARING

1. Case No.: CP2023-001

Applicants Thomas and Zana Gill are requesting a Conditional Use Permit for property located at 1490 W. McNeill, R33490, being SOUTH SIDE ADDITION, BLOCK 6, LOT 1A, 1B, 2, 2A, 3, 4, 5 (Pt of 1B) of the City of Stephenville, Erath County, Texas.

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.

STAFF REPORT

SUBJECT: Case No.: CP2023-001

Applicants Thomas and Zana Gill are requesting a Conditional Use Permit for property located at 1490 W. McNeill, R33490, being SOUTH SIDE ADDITION, BLOCK 6, LOT 1A, 1B, 2, 2A, 3, 4, 5 (Pt of 1B) of the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

The property has a current zoning of Multi-Family Residential District (R-3).

BACKGROUND:

The applicant is requesting a conditional use permit for parking by Texas A&M Systems/Tarleton State University under a temporary lease agreement during the completion of TSU parking garage construction, while retaining the R-3 Multi-Family zoning for the owner's future development.

PROPERTY PROFILE:



Sec. 154.05.6. Multiple family residential district (R-3).

5.6.A Description. This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes platted as one parcel and sole source management. All R-3 zoning will be appropriate to a city-style neighborhood. 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 esthetic and functional well being of the intended district environment.

5.6.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) Multiple family dwellings, with each family limited as in division (1) above; Student living complexes will be subject to a variance request for units designed to occupy more than three unrelated students per unit;
- (4) Assisted living center;
- (5) Convalescent, nursing or long term-care facility;
- (6) Retirement housing complex;
- (7) Accessory buildings;
- (8) Churches, temples, mosques and related facilities;
- (9) Community home;
- (10) Park or playground;
- (11) SISD school—public;
- (12) Bed and breakfast/boarding house;
- (13) Group day care home;
- (14) Registered family home;
- (15) Day care center; and
- (16) Fraternity or sorority house.

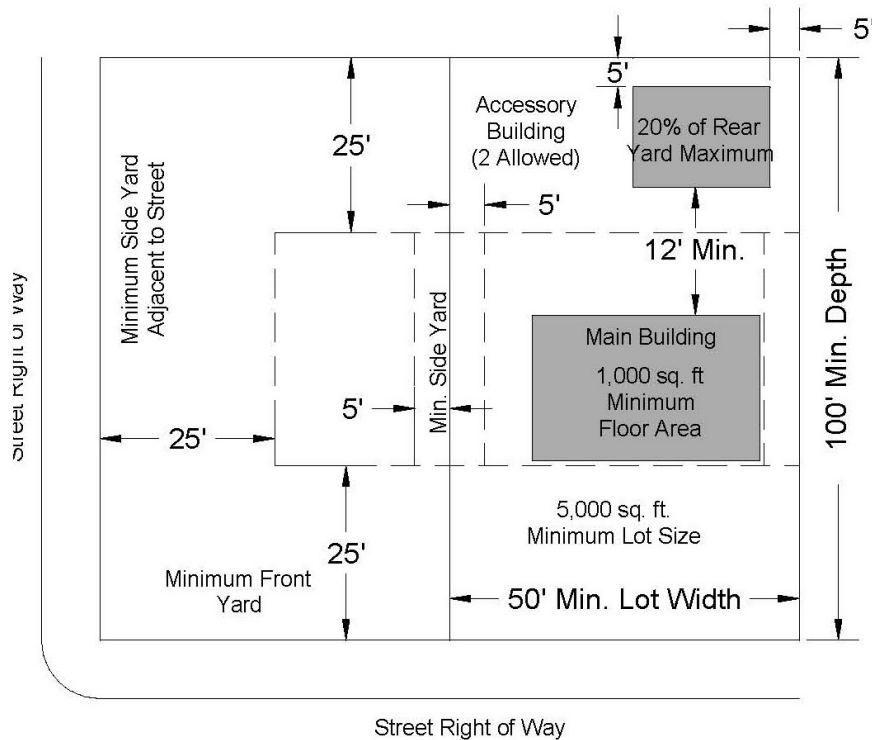
5.6.C Conditional Uses.

- (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.

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

- (A) *Single family dwelling.*
 - (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 coverage as a percentage of lot area: 40%.
 - (b) Single family dwelling: 1,000 ft².
 - (8) Accessory buildings:

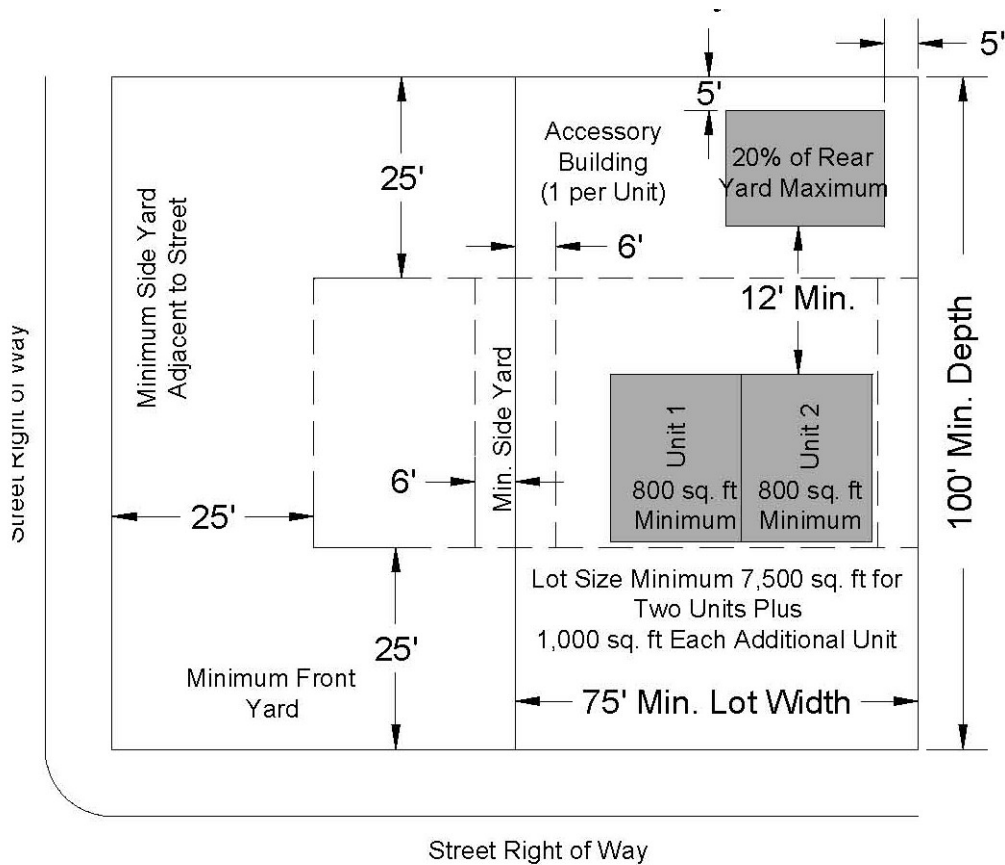
- (a) Maximum accessory buildings coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of 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: 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 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.

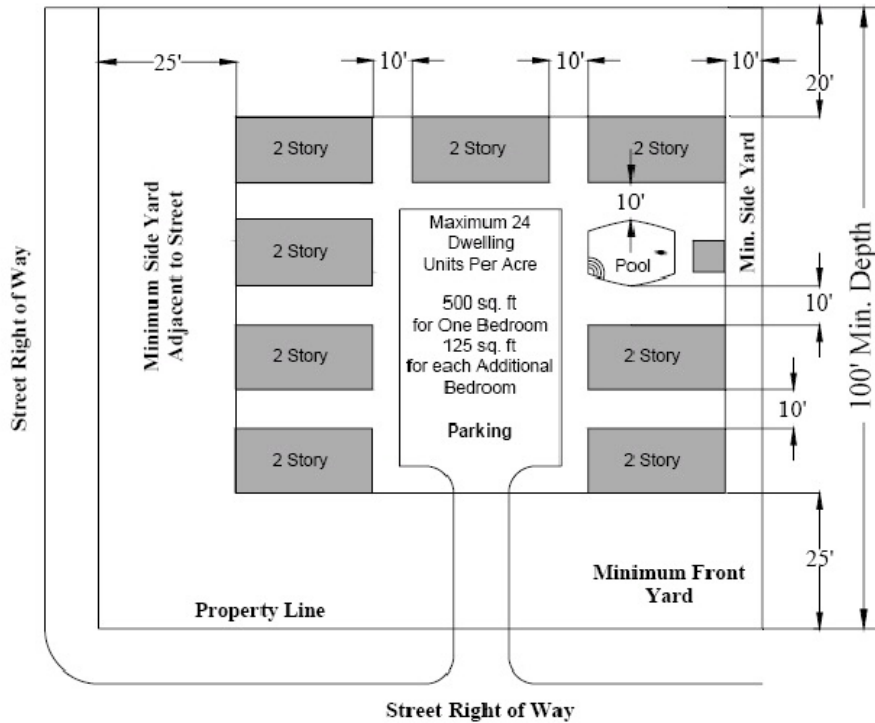


- (C) *Reserved.*
- (D) *Multiple family dwellings.*
 - (1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
 - (2) Minimum lot depth: 100 feet.
 - (3) Minimum depth of front setback: 25 feet.
 - (4) Minimum depth of rear setback: 20 feet.
 - (5) Minimum width of side setback:
 - (a) Internal lot: ten feet.
 - (b) Corner lot: 25 feet from intersecting side street.

- (6) Building size: Minimum area of each dwelling unit: 500 ft² for one bedroom or less plus 125 ft² of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) 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.

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

Multiple Family Dwelling

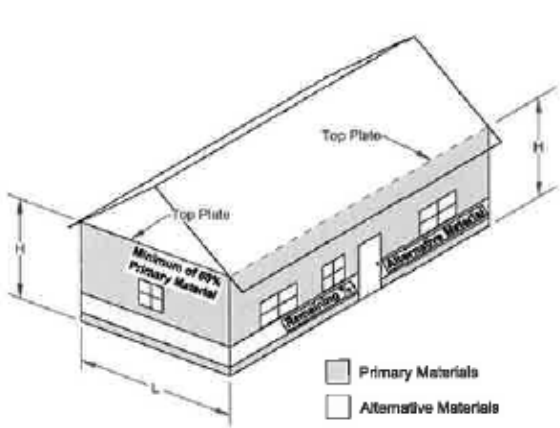


5.6.E Parking Regulations. Lots in this District shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 154.11 *Parking spaces for vehicles* of this ordinance. Student housing whereby individual rooms are leased by unit must require 1.5 spaces per rented bed.

5.6.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) 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.
- (4) 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.



NEW CONSTRUCTION
 Total Exterior Wall shall equal 80% of Primary Materials.
 Any remaining percentage shall be constructed of Alternative Materials.
 (Windows & Doors are excluded)

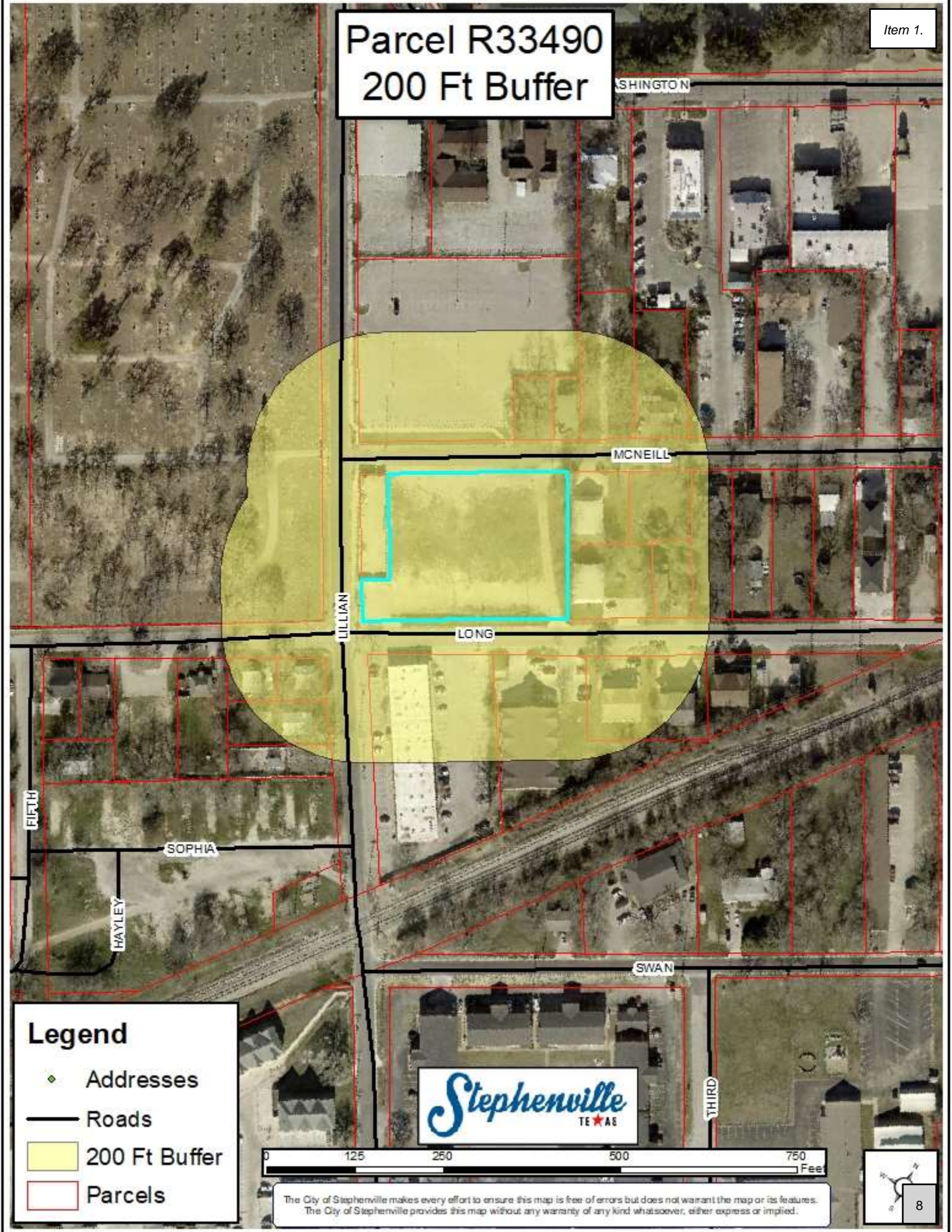
- EXISTING STRUCTURES**
1. Expanding or modifying the footage of the building 50% or less, may use the same exterior material as the existing primary building. If not available, approval is need from the Community Development Director.
 2. Expanding or modifying the footage of the building 50% or more, must use 80% Primary Materials and any remaining percentage shall be constructed of Alternative Materials.
 3. Windows and Doors are excluded.

(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011; Am. Ord. 2021-O-29, § 1, passed 9-7-2021)

ALTERNATIVES:

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

Parcel R33490 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 R33490

Current Zoning - R3 Multifamily

Item 1.



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, Tarleton, 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

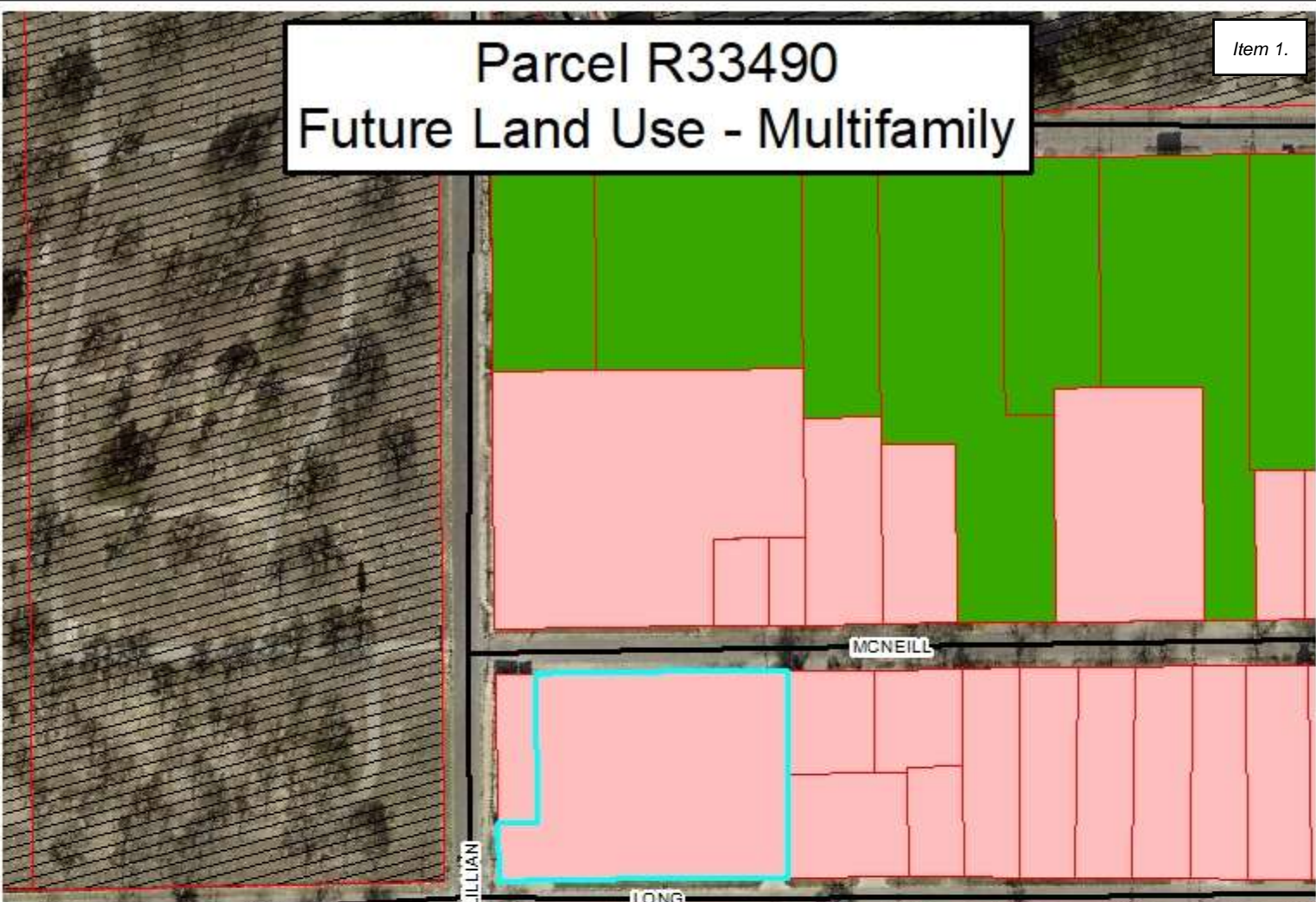


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Parcel R33490

Future Land Use - Multifamily

Item 1.



Legend

- ◆ Addresses
- Roads
- Parcels

Future Use

- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cert 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 R33490 Water & Sewer Utilities

Item 1.



Legend

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



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Parcel R33490 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Codes
R000033488	280 S LILLIAN	ATMOS ENERGY CORPORATION	PO BOX 650205	DALLAS	TX	75265-0205
R000030267	1435 W MCNEILL	BALLOW MICHAEL T	404 HERITAGE WAY	STEPHENVILLE	TX	76401
R000030259	1447 W MCNEILL	BOARD OF REGENTS OF THE TX A&M UNIVERSITY SYSTEM	301 TARROW STREET 6TH FLOOR	COLLEGE STATION	TX	77840-7896
R000030255	200 S LILLIAN	BOARD OF REGENTS OF THE TX A&M UNIVERSITY SYSTEM	301 TARROW STREET 6TH FLOOR	COLLEGE STATION	TX	77840-7896
R000033492	1403 LONG ST	BRAMLETT ERNEST C & JOYCE	1708 PR1113	STEPHENVILLE	TX	76401-9706
R000033493	1430 W MCNEILL	BRAMLETT ERNIE & JOYCE	1708 PR1113	STEPHENVILLE	TX	76401
R000033491	1450 W MCNEILL	BRAMLETT ERNIE & JOYCE & CLIFF E	1708 PR1113	STEPHENVILLE	TX	76401
R000030265	1441 MCNEILL	CATHOLIC DIOCESE OF FORT WORTH	3262 CR223	STEPHENVILLE	TX	76401
R000033490	1490 W MCNEILL	GILL THOMAS AND ZANA GILL	PO BOX 43	STEPHENVILLE	TX	76401
R000030257	1416 W WASHINGTON	MCDONALDS REAL ESTATE COMPANY	ONE MCDONALDS PLAZA	OAK BROOK	IL	60523
R000033527	1410 W LONG	MCGEHEE CLARK JOSEPH	133 DANCING LEAF DR	MARTINSBURG	WV	25403
R000030260	1445 MCNEILL	MCLEAN SETH	127 PARK DR	STEPHENVILLE	TX	76401
R000033519	1520 LONG	MULBARGER TODD & KIM	153 VALLEY OAK PLACE	WOODBIDGE	CA	95258
R000033495	1418 MCNEILL	PATTON SHARON RUTH	1418 W MCNEILL	STEPHENVILLE	TX	76401
R000033520	410 LILLIAN	PHILLIPS RENTALS LLC	279 CR707	COTTER	AR	72626
R000033521	420 LILLIAN	PHILLIPS RENTALS LLC	279 CR707	COTTER	AR	72626
R000033494	1431 LONG	SMITH DONNIE R	1431 W LONG ST	STEPHENVILLE	TX	76401-0000
R000033518	1530 LONG	SWECKER COLBY & VIANNEY SANCHEZ	1530 W LONG	STEPHENVILLE	TX	76401
R000040818	428 S LILLIAN	TEXAS COMMUNICATIONS OF BROWNWOOD LP	PO BOX 290	DE LEON	TX	76444
R000073705	1404 W LONG	TRAFALGAR HOMES OF TEXAS LLC	PO BOX 65	STEPHENVILLE	TX	76401
R000033487	1500 W WASHINGTON	WEST END CEMETERY	298 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000033524	301 S LILLIAN	WINDMASS VILLIAGE III PORTFOLIO OWNER LLC	100 CRESCENT CT, SUITE 270	DALLAS	TX	75201