



## PLANNING AND ZONING COMMISSION MEETING

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City Hall Council Chambers, 298 W. Washington  
Wednesday, August 18, 2021 at 5:30 PM

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### AGENDA

#### CALL TO ORDER

#### MINUTES

1. Consider Approval of Minutes - July 21, 2021

#### PUBLIC HEARING

2. **Case No.: RP2021-005**

Applicant Barron Stark Engineers, representing 555 Dublin Avenue LLC, is requesting a replat of property located at 555 Dublin, Parcel R73140, of CITY ADDITION, BLOCK 72 & BLOCK 73 (PTS OF) of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary re-plat of two parcels.

3. **Case No.: PD2021-002**

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of Cowtown Properties, is requesting a rezone of property located at 525 W Collins, Parcel R33237, of SHAPARD & COLLINS, BLOCK 6, LOTS 1 & 2 & A0032 BLAIR JOHN, of the City of Stephenville, Erath County, Texas, from (IND) Industrial to (PD) Planned Development. The applicant will present a conceptual plan. Formal action for the rezone request and approval of the Planned Development will be considered at a future meeting.

4. **Case No.: PD2021-003**

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 817 W Washington, Parcel R29583, of CITY ADDITION, BLOCK 62, LOTS 6A;7;14;17; (PT, OF 14), of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan. Formal action for the rezone request and approval of the Planned Development will be considered at a future meeting.

5. **Case No.: PD2021-004**

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 855 & 865 W Washington, Parcel R29581, of CITY ADDITION, BLOCK 62, LOTS 4;5;6B; (PT, OF 5), of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan. Formal action for the rezone request and approval of the Planned Development will be considered at a future meeting.

6. **Case No.: PD2021-005**

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 873 W Washington, Parcel R29580, of CITY ADDITION, BLOCK 62, LOT 3,

of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan. Formal action for the rezone request and approval of the Planned Development will be considered at a future meeting.

**7. Case No.: RP2021-006**

Property owner Taylor Kanute of Harbin Street LLC, is requesting a re-plat of property located at 0 S. Harbin Drive, Parcel R73763, of SOUTH SIDE ADDITION, BLOCK 19, LOT 15, of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary re-plat for the planned development. Formal action for the rezone request and approval of the Planned Development will be considered at a future meeting.

**8.**

**Zoning Ordinance Revisions to R-3 Multifamily and Consideration of Draft Zoning District Known as R-2.5**

**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

City Hall Council Chambers, 298 W. Washington  
Wednesday, July 21, 2021 at 5:30 PM

### MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on July 21, 2021 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  
Bruce Delater  
Justin Allison  
Nick Robinson  
Cliff McCrury

**COMMISSIONERS ABSENT:** Todd McEvoy  
Mary Beach McGuire – Alternate

**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 – June 16, 2021**

MOTION by Nick Robinson, second by Bruce Delater, to approve the minutes for June 16, 2021.

MOTION CARRIED by unanimous vote.

### CHAIRPERSON REMARKS

**Conflict of Interest Form**

Steve Killen, Director of Development Services, will be providing a form for the Commissioners if there is a conflict of interest in regards to future hearings.

## PUBLIC HEARINGS

### 2. Case No.: SC2021-004 Closure and Abandonment of an Undeveloped Portion of Fifth Avenue

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on June 6, 2021. Such action now requires review by the Planning and Zoning Commission via public hearing and a recommendation to City Council for final approval. Mr. Killen stated that there were no objections from other departments and there was one letter in favor from Mr. Bruner.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or in opposition to the abandonment request.

Chairperson LaTouche closed the public hearing.

MOTION by Nick Robinson, second by Bruce Delater, to approve Case No. SC2021-004 and forward a positive recommendation to Council. DENIAL FORWARDED to City Council for failure to reach a two-thirds majority vote.

### 4. Case No.: RZ2021-012

**Applicant Mark Bostock, dba Reunion Center Enterprises, is requesting a rezone of property located at 408 Morgan Mill Rd, Parcel R33346, of SIMS ADDITION, BLOCK 3, LOT 4, of the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential, to (B-2) Retail and Commercial.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the applicant is requesting the zoning change to allow the businesses currently in place to be properly zoned. The requested zoning conforms to the future land use of the Comprehensive Plan. The property is the current site of an automobile repair service shop – which is permitted use in Commercial zoning.

Mark Bostock was present in order to answer any questions.

Chairperson LaTouche opened the public hearing.

Robert Lawrence, 406 Morgan Mill Rd and Hazel Grissom, 413 Morgan Mill Rd spoke in favor of the rezone request.

No one came forward to speak in opposition to the rezone request.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Nick Robinson, to approve Case No. RZ2021-012 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

### 5. Case No.: RZ2021-013

**Applicant Tim Trotter, is requesting a rezone of property at located at 0 Choctaw Rd, Parcel R34558, of WEST GATE ADDITION, BLOCK G (PART OF), of the City of Stephenville, Erath County, Texas, from (Ind.) Industrial to (R-1) Single Family.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the intended project for the requested zoning is for single family residential construction. Mr. Trotter has completed the civil work and filed for a minor replat leading to the discovery of BLK G being zoned industrial. Mr. Trotter will be subdividing two parcels into four parcels via the minor replat

process upon the approval of this rezone request. The City Council will convene in a specially called meeting on July 22 to expedite the approval. Staff recommends approval of the rezone request as it is a requirement set forth by city ordinance.

Tim Trotter was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or in opposition to the rezone request.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Nick Robinson, to approve Case No. RZ2021-013 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

#### 6. Case No.: PP2021-001

**Applicant Reece Flanagan with MMA, Inc., representing Brown Pace Development Company, is requesting a preliminary plat of property located at 422 S Lillian, Parcel R33522, of SOUTH SIDE ADDITION, BLOCK 8, LOT 5,6,7,8, J & D MHP of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary plat of subdividing three parcels into 64 lots.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the previous cases that have been reviewed by the Commission and approved by City Council have resulted in the rezoning of three parcels known as 422 S. Lillian, 1600 W. Swan and 1601 W. Swan. The intended project is for the future development of townhomes that will be sold individually. The project will result in the removal of mobile homes currently in-place on two of the three parcels (422 S. Lillian and 1601 W. Swan). The Board of Adjustment approved variance requests for the three parcels to allow for reduced lot width, depth and overall square footage requirements. The applicant is now requesting approval of the preliminary plat. The applicant will return for approval of a Final Plat once the project begins and public improvements are completed/accepted by the city.

Chairperson LaTouche opened the public hearing.

Reese Flanagan and Marc Pace were present to answer any questions.

No one came forward to speak in favor of or in opposition to the preliminary plat request.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Nick Robinson, to approve Case No. PP2021-001 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

#### 7. Case No.: PP2021-002

**Applicant Reece Flanagan with MMA, Inc., representing Brown Pace Development Company, is requesting a preliminary plat of property located at 1600 S Lillian, Parcel R33564, of SOUTH SIDE ADDITION, BLOCK 8, LOT 5,6,7,8, J & D MHP of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary plat of subdividing three parcels into 64 lots.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the previous cases that have been reviewed by the Commission and approved by City Council have resulted in the rezoning of three parcels known as 422 S. Lillian, 1600 W. Swan and 1601 W. Swan. The intended project is for the future development of townhomes that will be sold individually. The project will result in the removal of mobile homes currently in-place on two of the three parcels (422 S. Lillian and 1601 W. Swan). The Board of Adjustment approved variance requests for the three parcels to allow for reduced lot width, depth and overall square footage requirements. The applicant is now requesting approval of the preliminary plat. The applicant will return for approval of a Final Plat once the project begins and public improvements are completed/accepted by the city. Chairperson LaTouche opened the public hearing.

Reese Flanagan and Marc Pace were present to answer any questions.

No one came forward to speak in favor of or in opposition to the preliminary plat request.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Leslie, second by Nick Robinson, to approve Case No. PP2021-002 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

#### 8. Case No.: PP2021-003

**Applicant Reece Flanagan with MMA, Inc., representing Brown Pace Development Company, is requesting a preliminary plat of property located at 1601 S Lillian, Parcel R33516, of SOUTH SIDE ADDITION, BLOCK 8, LOT 5,6,7,8, J & D MHP of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary plat of subdividing three parcels into 64 lots.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the previous cases that have been reviewed by the Commission and approved by City Council have resulted in the rezoning of three parcels known as 422 S. Lillian, 1600 W. Swan and 1601 W. Swan. The intended project is for the future development of townhomes that will be sold individually. The project will result in the removal of mobile homes currently in-place on two of the three parcels (422 S. Lillian and 1601 W. Swan). The Board of Adjustment approved variance requests for the three parcels to allow for reduced lot width, depth and overall square footage requirements. The applicant is now requesting approval of the preliminary plat. The applicant will return for approval of a Final Plat once the project begins and public improvements are completed/accepted by the city. Chairperson LaTouche opened the public hearing.

Reese Flanagan and Marc Pace were present to answer any questions.

No one came forward to speak in favor of or in opposition to the preliminary plat request.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Leslie, second by Bruce Delater, to approve Case No. PP2021-003 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

**8. Case No.: PP2021-004**

**Applicant Zane Griffin with Native Co., LLC, representing Oakdale United Methodist Nonprofit, is requesting a preliminary plat of property located at 2675 W Overhill, Parcel R22423, of the MOTLEY WILLIAM ABSTRACT of the City of Stephenville, Erath County, Texas. The applicant is requesting approval a preliminary plat of the unplatted parcel known as R22423 located at 2675 W Overhill.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the property was recently rezoned to B-1, Neighborhood Business which conforms to the designated land use of the Comprehensive Plan. The intended project is for the construction of a medical center which is a permitted use for the new zoning. The six inch water and sewer mains will need to be extended.

Rhyne Gailey was present to answer any questions.

No one came forward to speak in favor of or in opposition to the preliminary plat request.

Chairperson LaTouche closed the public hearing.

MOTION by Nick Robinson, second by Bruce Delater, to approve Case No. PP2021-004 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

**ADJOURN**

The meeting was adjourned at 6:03 p.m.

APPROVED:

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Lisa LaTouche, Chair

ATTEST:

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Tina Cox, Commission Secretary



# STAFF REPORT

**SUBJECT:** Case No.: RP2021-005

Applicant Barron Stark Engineers, representing 555 Dublin Avenue LLC, is requesting a replat of property located at 555 Dublin, Parcel R73140, of CITY ADDITION, BLOCK 72 & BLOCK 73 (PTS OF) of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary re-plat of two parcels.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

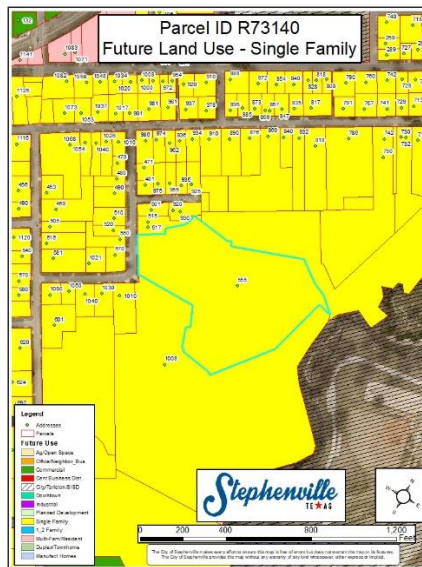
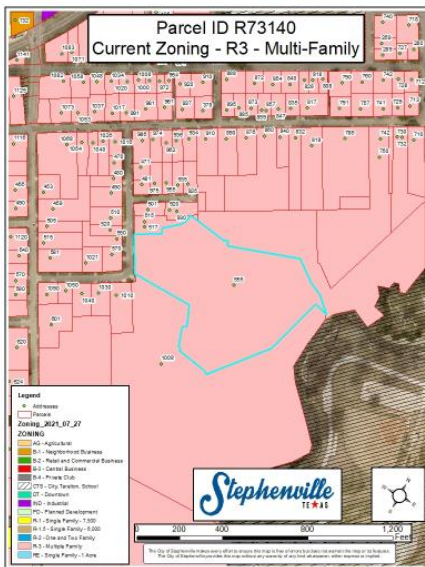
## RECOMMENDATION:

The applicant has submitted a preliminary plat along with the appropriate submittals currently under review by staff.

## BACKGROUND:

### APPLICANT REQUEST:

The intended project will allow for a multifamily development.



## DESCRIPTION OF MULTIFAMILY ZONING

### 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. 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) Townhouse dwellings, with each family limited as in division (1) above;
- (4) Condominium dwellings, with each family limited as in division (1) above;
- (5) Multiple family dwellings, with each family limited as in division (1) above;
- (6) Assisted living center;
- (7) Convalescent, nursing or long term-care facility;
- (8) Retirement housing complex;
- (9) Accessory buildings;
- (10) Churches, temples, mosques and related facilities;
- (11) Community home;
- (12) Park or playground;
- (13) SISD school—public;
- (14) Bed and breakfast/boarding house;
- (15) Group day care home;
- (16) Registered family home;
- (17) Day care center; and
- (18) Fraternity or sorority house.

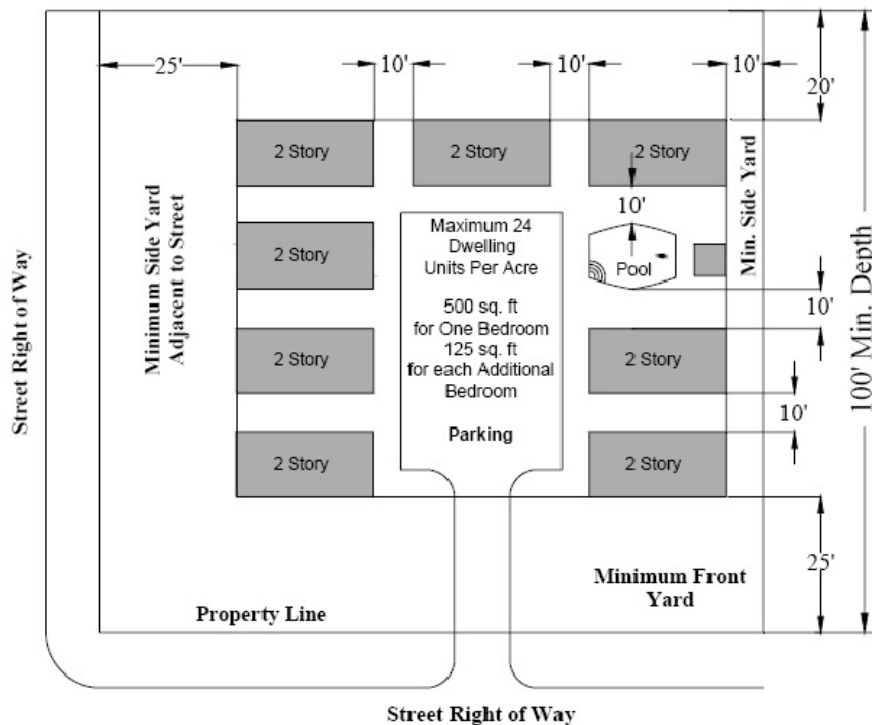
#### **5.6.C Conditional Uses.**

- (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.
- (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 ft<sup>2</sup> for one bedroom or less plus 125 ft<sup>2</sup> 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

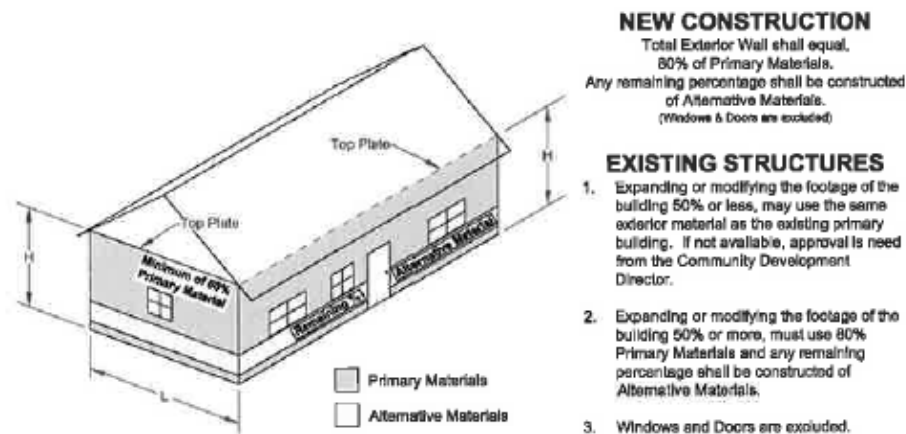
##### Multiple Family Dwelling



A Multiple-Family, R-3 District lot 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 this ordinance, Section 11, Parking Regulations of this ordinance.

### 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.



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

### 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 Preliminary Plat.



Planning and Building Department
298 W. Washington, Stephenville TX 76401
Phone: (254) 918-1213 www.stephenvilletx.gov

Plat Application and Checklist

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the proposed plat. A submittal of a complete application will facilitate a timely review. Failure of the applicant to provide required information will result in application not being processed. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

Please check the Appropriate Box: Final Plat [ ] Preliminary Plat [ ] Amended Plat [ ] Minor Plat [ ] Residential Replat [ ] Replat [X] Conveyance Plat [ ]

Project Name: TBD Parcel(s) Tax ID# (Required): R73140
Project Address (Location): 555 DUBLIN AVE Total Acres: 8.33
Previous Project Number (if Applicable): N/A
Existing Zoning: R-3 # of Existing Lots: 2 # of Existing Units: 1
Proposed Zoning: R-3 # of Proposed Lots: 1 # of Proposed Units: 82
SIGNATURE: [Handwritten Signature]

Name: DANIEL MORGAN
Company Name: TRINITY CLASSIC HOMES, LLC
Address: 200 COCHRAN RD, WEATHERFORD, TX 76085
Telephone: DANIEL MORGAN Email: daniel@trinityclassicbuilds.com
Please Note: e-mail addresses will be used to notify the owner or representative of the status of the plat.

CHECK ONE OF THE FOLLOWING:

- I will represent the application myself; or
[X] I hereby designate BARRON STARK ENGINEERS (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

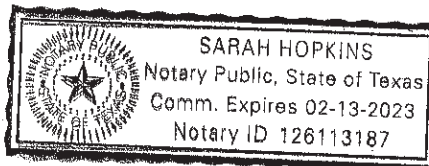
I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. By signing below, I agree that the City of Stephenville (the "City") is authorized and permitted to provide information contained within this application, including the email address, to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in connection with the application, if such reproduction is associated with the application in response to a Public Information Request.

Owner's Signature: [Handwritten Signature] Date: 7-15-21

STATE OF TEXAS COUNTY OF Parker BEFORE ME, a Notary Public, on this 15th day of July, 2021 appeared Daniel Morgan (printed owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct." SUBSCRIBED AND SWORN TO before me, this the 15th day of July, 2021.

[Handwritten Signature]
Notary Signature

(seal)





Planning and Building Department
298 W. Washington, Stephenville TX 76401
Phone: (254) 918-1213 www.stephenvilletx.gov

Plat Application and Checklist

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the proposed plat. A submittal of a complete application will facilitate a timely review. Failure of the applicant to provide required information will result in application not being processed. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.



- Application and Checklist.
Associated Fee(s): as listed on the Development Review Fee Schedule.
Project Narrative: Written proposal for the project.
Plats: Plats will be drawn on a sheet size of 24" x 36" with a 3/4" border...
24" x 36" Engineering/Support Documents (if required) Engineering/support documents are required for all public improvements, including sidewalks.
All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.
Utilities Acceptance Form and related correspondence
Plat Checklist: I have reviewed the checklist and all submittals for completeness and accuracy.
Digital Submission: All items shall be submitted digitally in PDF format.



A plat is intended to serve as the official recorded map of the property to be developed, showing thereon the boundaries, lots, public streets and easements and other significant public facilities and features which are necessary to serve the development, as required by the Stephenville Subdivision Ordinance. A plat of the property to be subdivided or developed is required of all development to which Stephenville Subdivision Ordinance applies. For a development to be constructed in phases, the plat may include only a portion of the land included in a general development plan and/or preliminary plat.

Applicant information required: the applicant, owner and contact information must be provided in entirety. If multiple design professionals are involved in the preparation of the plat document, list the principal design professional. All correspondence relating to the plat will be directed to the contact designated on the application.

Owner signature: the plat application is required to be signed by the current property owner. If the property owner is not available to sign the application, then a notarized letter of authorization from the property owner is required to be submitted which empowers a designee to sign for the property owner.

Acceptance of plat application: All plat applications will be reviewed for completeness in accordance with this checklist before they are accepted by City Staff. Failure of applicant to provide required information constitutes grounds for refusal of plat acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.



Planning and Building Department  
 298 W. Washington, Stephenville TX 76401  
 Phone: (254) 918-1213 [www.stephenvilletx.gov](http://www.stephenvilletx.gov)

- | On Plat                             | N/A                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | The signature block of the owner or owners of the land included within the plat, acknowledged in the form required for the acknowledgement of deeds.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Name of the subdivider or developer, record owner and surveyor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Provide a note on the plat stating the purpose of the Plat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Title Block containing: Proposed name of the subdivision or lot on record, acres in previously platted and unplatted land and total of those acres, survey and jurisdiction (City of Stephenville, County of Erath, Texas, for example).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Proposed name of the subdivision, development or lot on record, which shall not have the same spelling or be pronounced similarly to the name of any other development located on land within the jurisdiction of the city. Developers of phased development shall use the same base name for different sections, identified by a section number.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | The development boundary lines, shown by a continuous dark line of sufficient width to be easily identified, as shown by a survey performed by a registered professional land surveyor describing the boundaries of the development by metes and bounds. The survey shall: <ul style="list-style-type: none"> <li>▪ Locate the boundaries with respect to a corner of the survey or tract or any original corner of the original survey abstract of which it is a part (provide a note of description of the location of the survey abstract). At least one corner shall be tied by course and distance to a corner in a recorded subdivision or to a right-of-way pin at an intersection. (Note describing corner markers should be included);</li> <li>▪ Describe and locate all permanent survey monuments, pins, and control points and tie and reference the survey corners to the Texas State Plane Coordinate System.</li> <li>▪ Identify the dimensions of the development with a legal description and bearings and distances on the boundary of the plat.</li> </ul> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Location of development by city, county and state.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Please provide a location map showing the relation of the subdivision to streets and other prominent features.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Please show the names of the adjoining subdivisions or the names of the adjoining property owners, together with their respective plat or deed references.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Show boundaries streets and/or right of way on the plat                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | The exact location, dimension and description of all existing or recorded public or private easements, and public rights-of-way within the development, intersecting or contiguous with its boundary or forming such boundary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | The dimensions of all existing or proposed lots and blocks within the development identified by letter or number running consecutively throughout the development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

- The exact location, dimensions and description of all proposed public or private easements, parks, other areas, reservations, and other rights-of-way to be dedicated to the public, located within, intersecting or contiguous with its boundary or forming such boundary.



Planning and Building Department  
 298 W. Washington, Stephenville TX 76401  
 Phone: (254) 918-1213 [www.stephenvilletx.gov](http://www.stephenvilletx.gov)



- All proposed street right of ways or changes to be made in existing right of ways shall be described with accurate bearings or deflecting angles and radii, area and central angle, degree of curvature, tangent distance and length of all curves where appropriate, and the primary control points.
- Approved name and dimensioned width of each street right of way. Street names are required for all newly created streets on the final plat document. Please note that street names will not be considered "reserved" prior to the submission of a final plat document.
- Show centerline of existing streets. Dimension from centerline to edge of existing right-of-way and from centerline to edge of proposed right-of-way.
- Existing and proposed easements – labeled, dimensioned, and instrument used to create or abandon such easements.
- The identification, location and size of all existing gas, petroleum, or similar common carrier easements located within or on the boundary of the development. If no easements or pipelines are located on the property, add a note to that effect.
- Boundary lines of open spaces to be dedicated or granted for use by the public or inhabitants of the development. Parkland dedications should be noted.
- Reference by record name to recorded subdivision plats or adjoining platted land with recording information.
- Label lots in or adjacent to a floodplain or adjacent to a drainage easement and in other locations if required by the City Engineer with the following: "minimum finished floor elevations required."
- Provide a note on the plat stating: "The minimum finished floor elevations shall be provided when a building permit application is submitted. The minimum finished floor elevations shall be based on the current FEMA data. The minimum finished floor elevations shall be stated as mean sea level."
- All required dedication and certification statements.
- Certification that basic documentation has been set in order to determine location of public improvements.
- Signature block for approving body.
- Traffic Impact Analysis (TIA) may be required at the time of Preliminary Plat submittal for all site developments. For phased developments, the TIA shall include an analysis for each phase of the development and the threshold for the TIA shall be for the entire development.
  - o Threshold for a Traffic Impact Analysis:
    - o Residentially zoned Subdivisions that are projected to generate more than 1,000 new average daily trips (ADT) shall require a TIA.
    - o Office zoned Subdivisions that are projected to generate more than 500 new average daily trips (ADT) shall require a TIA.
    - o Nonresidential zoned Subdivisions that are projected to generate more than 2,500 new average daily trips (ADT) shall require a TIA.
    - o Industrial zoned Subdivisions that are projected to generate more than 500 new average daily trips (ADT) shall require a TIA.



Site Development Plan (per plan) \$200.00 (water,sewer,streets,storm drain engineering review)



# City of Stephenville

## Utilities Acceptance Form

Project Name: TBD- Stephenville Multifamily Date: 7/15/21

Owner/Developer: Daniel Morgan, Trinity Classic Homes \*Correspondance attached \*

Prior to presenting a plan to the City for initiation of the platting process, the developer is asked to have the utilities listed below to offer their comments. The developer is to present this form and a copy of the plan to each of the utilities listed below. The utility in turn is asked to sign and stamp the form below indication that they have reviewed and accept the final plat.

1. **Oncor Electric:** Official: Pat Ann Wilson, patricia.wilson@oncor.com  
SEAL OR STAMP and comments

2. **Atmos Gas:** Official: Debbie Hudson, debbie.hudson@atmosenergy.com \*\*NO PROPOSED GAS\*\*  
SEAL OR STAMP and comments

3. **CenturyLink Telephone:** Official: Cami D., CamiD@Centurylnk.com  
SEAL OR STAMP and comments

4. **Water Utilities:** Official: City of Stephenville, Nick Williams, nwilliams@stephenvilletx.gov  
SEAL OR STAMP and comments

5. **Northland Cable T.V.:** Official: Shaya S., ceo@yyvebb.com  
SEAL OR STAMP and comments

6. **Progressive Waste:** Official: Linda Schullz, linda.schullz@wasteconnections.com  
SEAL OR STAMP and comments

## Will Schoonover

---

**From:** Will Schoonover  
**Sent:** Thursday, July 15, 2021 12:01 PM  
**To:** patricia.wilson@oncor.com; camid@centurylink.net; Nick Williams; ceo@vyvebb.com; linda.schullz@wasteconnections.com  
**Subject:** Upcoming Multifamily Project- 555 Dublin Ave. Stephenville, TX  
**Attachments:** stephenville-platting-application-utility-acceptance-form.pdf

Greetings,

This email is intended to serve as notice that your information has been included on a Utilities Acceptance Form for the City of Stephenville during the platting process for a proposed 82-unit student housing development located at 555 Dublin Avenue. Please stamp/seal, acknowledge receipt of and include any relevant comments on the provided form (attached). I respectfully request that you provide a completed copy of this form back to me within 10 business days, or by 7/29/21. Please reach out with any questions regarding this request.

Thank you,



**WILL W. SCHOONOVER**  
 PROJECT MANAGER  
 6221 Southwest Blvd, Ste. 100, Fort Worth, TX 76132 [wills@barronstark.com](mailto:wills@barronstark.com)  
 d 817.231.8113 | c 505.412.5975 | f 817.231.8144  
[LinkedIn](#) | [Facebook](#) | [Twitter](#) | [thebarroncompanies.com](http://thebarroncompanies.com)

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R30220 R30219 R30218 R30217 R30216 R30215 R30232 R30231 BAXI R30122 R3012

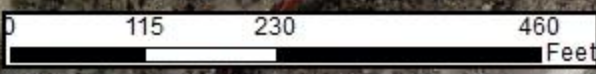
Parcel ID R73140

Item 2.



**Legend**

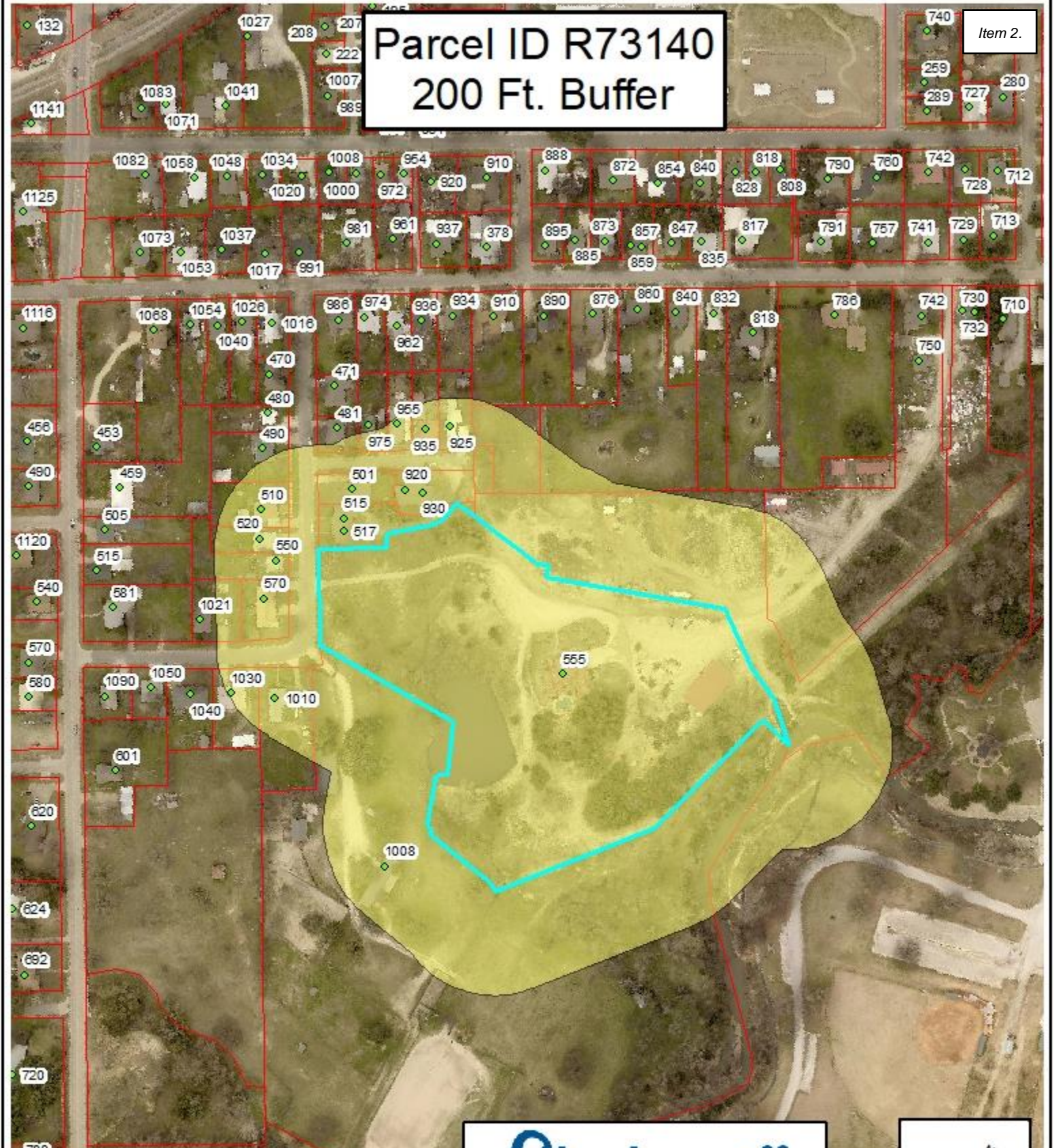
- Parcels
- Roads



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

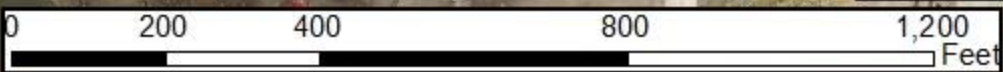
# Parcel ID R73140 200 Ft. Buffer

Item 2.



**Legend**

- ◆ Addresses
- R73140 Buffer
- Parcels

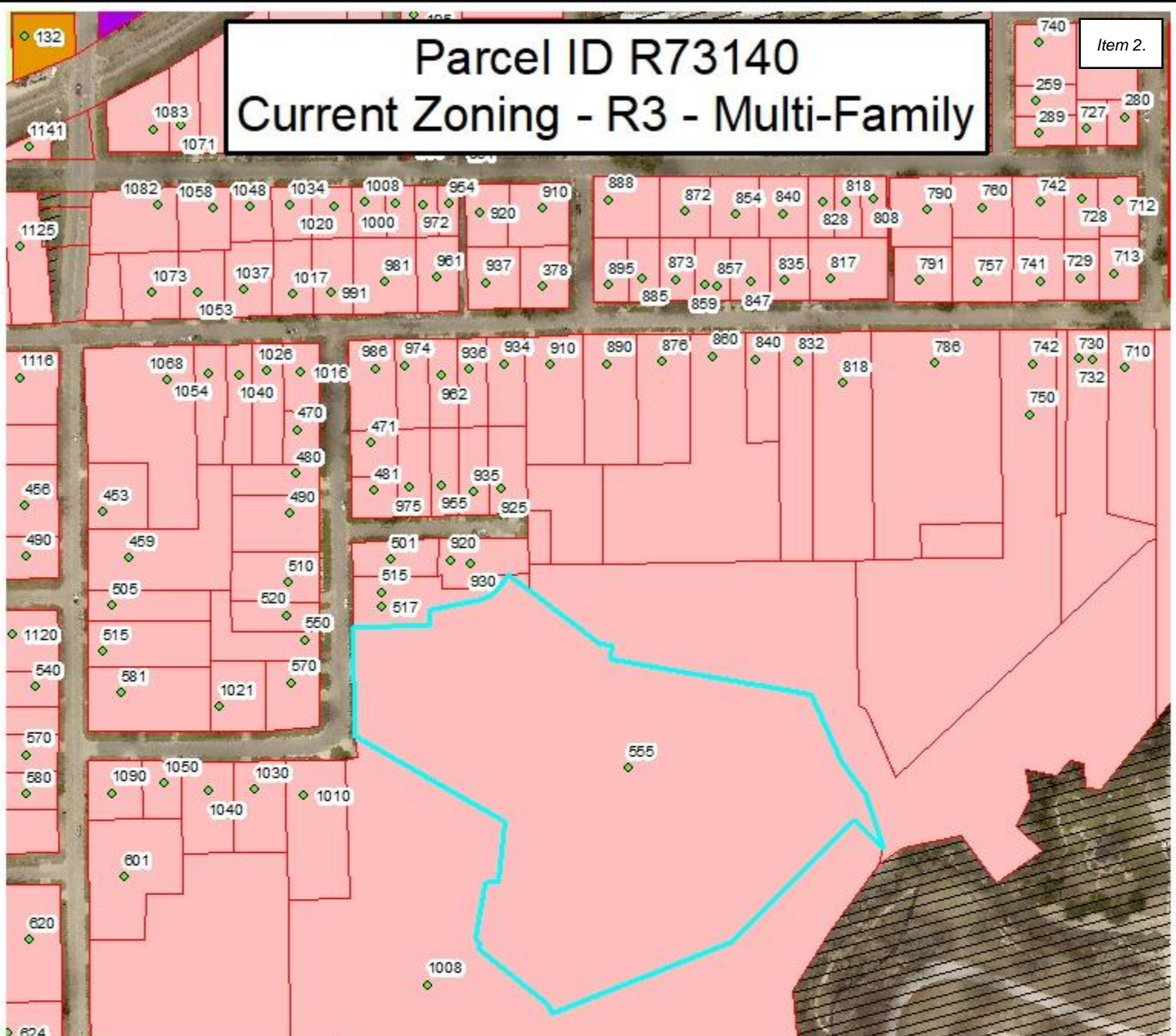


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# Parcel ID R73140

## Current Zoning - R3 - Multi-Family

Item 2.



**Legend**

- ◆ Addresses
- Parcels

**Zoning\_2021\_07\_27**

**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-3 - Multiple Family
- RE - Single Family - 1 Acre

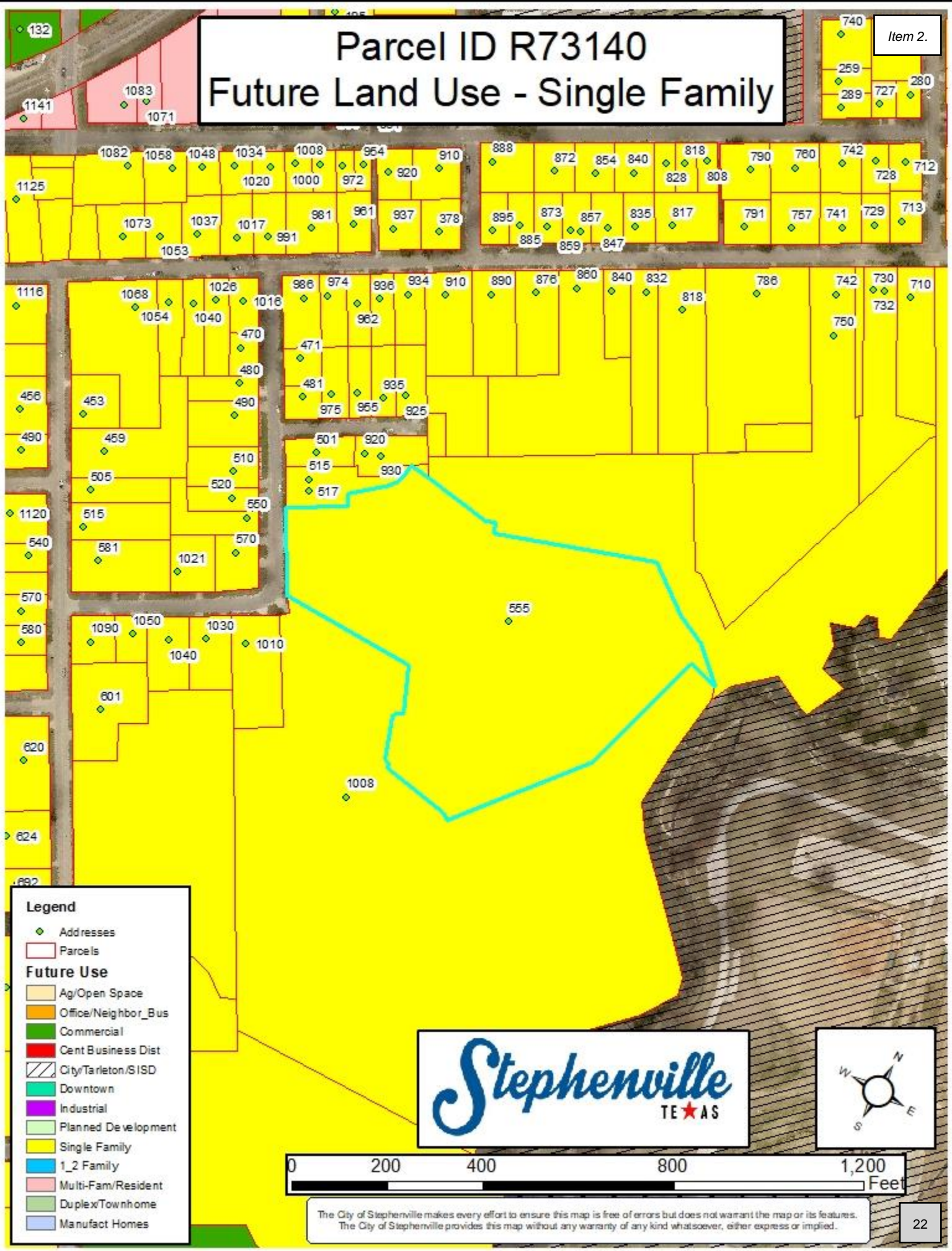


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# Parcel ID R73140

## Future Land Use - Single Family

Item 2.



### Legend

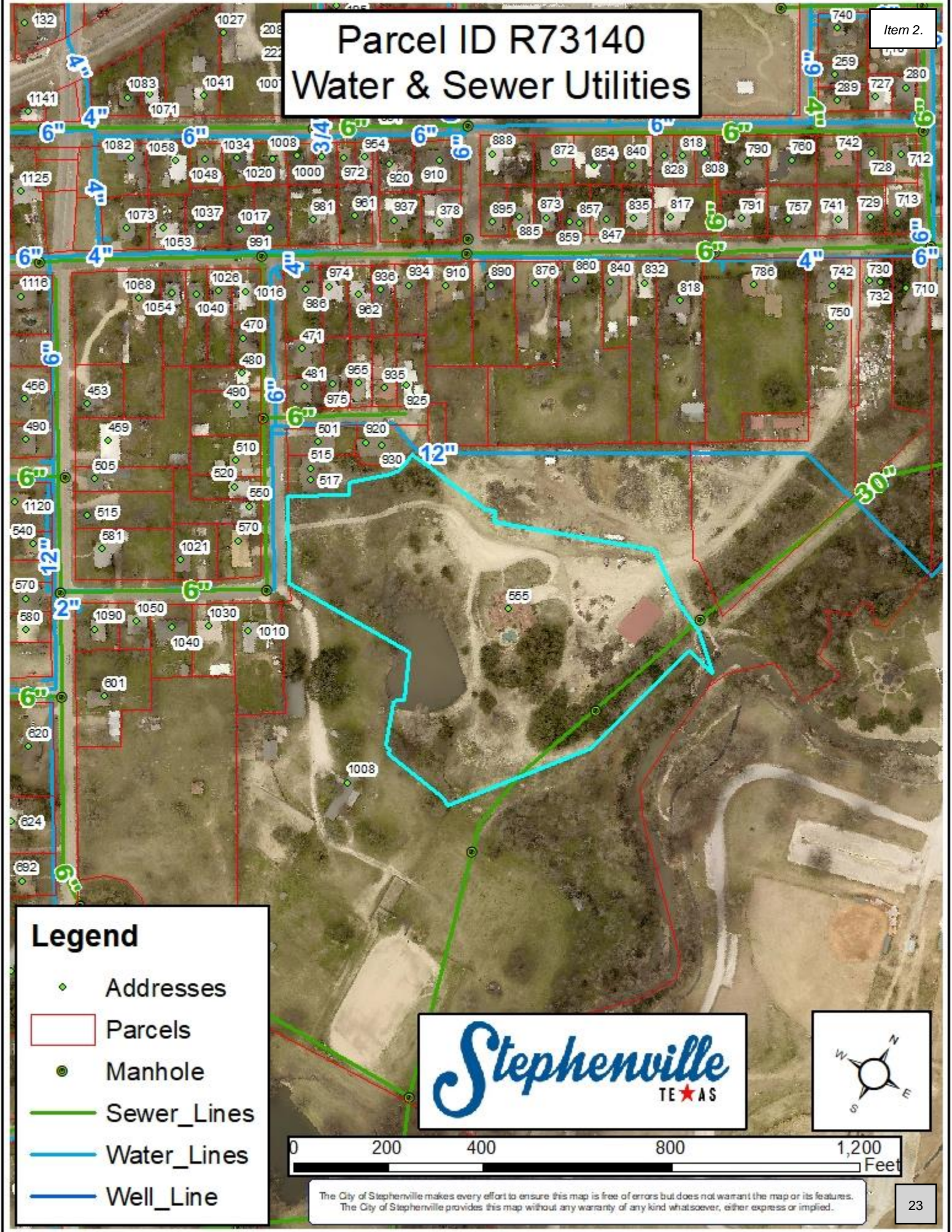
- ◆ Addresses
- ▭ Parcels
- Future Use**
- ▭ Ag/Open Space
- ▭ Office/Neighbor\_Bus
- ▭ Commercial
- ▭ Cent Business Dist
- ▭ City/Tarleton/SISD
- ▭ Downtown
- ▭ Industrial
- ▭ Planned Development
- ▭ Single Family
- ▭ 1\_2 Family
- ▭ Multi-Fam/Resident
- ▭ Duplex/Townhome
- ▭ Manufact Homes



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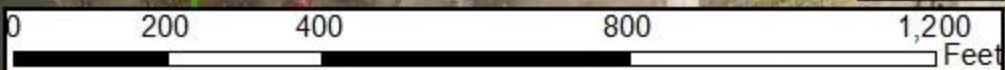
# Parcel ID R73140 Water & Sewer Utilities

Item 2.



### Legend

- ◆ Addresses
- ▭ Parcels
- Manhole
- Sewer\_Lines
- Water\_Lines
- Well\_Line



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 R73140 Addresses

| Parcel ID  | Parcel Address      | Parcel Owner                               | Owner Address         | City         | State | Zip Code   |
|------------|---------------------|--------------------------------------------|-----------------------|--------------|-------|------------|
| R000073140 | 555 DUBLIN          | 555 DUBLIN AVE LLC                         | 200 COCHRAN RD        | WEATHERFORD  | TX    | 76085      |
| R000029728 | 481 DUBLIN AVE      | BROOKS KEITH; TAMANTHA; BILLY J & TOMMIE J | 481 S DUBLIN AVE      | STEPHENVILLE | TX    | 76401-0000 |
| R000029700 | 400 W LONG          | CITY OF STEPHENVILLE                       | 298 W WASHINGTON      | STEPHENVILLE | TX    | 76401-4257 |
| R000029732 | 925 MESQUITE        | ELSTON LORENA                              | 925 MESQUITE          | STEPHENVILLE | TX    | 76401      |
| R000031080 | 490 DUBLIN AVE      | FOWLER CAROLYN A                           | 490 DUBLIN            | STEPHENVILLE | TX    | 76401      |
| R000029716 | 0 MESQUITE          | GARRISON CURTIS CLAYBURN                   | 740 W COLLEGE         | STEPHENVILLE | TX    | 76401      |
| R000029734 | 920 MESQUITE        | GARRISON CURTIS CLAYBURN                   | 740 W COLLEGE         | STEPHENVILLE | TX    | 76401      |
| R000029710 | 0 MESQUITE          | GARRISON CURTIS CLAYBURN                   | 740 W COLLEGE         | STEPHENVILLE | TX    | 76401      |
| R000029731 | 935 MESQUITE        | GARRISON PROPERTIES LLC                    | 740 W COLLEGE         | STEPHENVILLE | TX    | 76401      |
| R000029708 | 750 LONG            | GARRISON PROPERTIES LLC                    | 740 W COLLEGE         | STEPHENVILLE | TX    | 76401      |
| R000075775 | 0 MESQUITE ST (OFF) | GARRISON PROPERTIES LLC                    | 740 W COLLEGE         | STEPHENVILLE | TX    | 76401      |
| R000029741 | 1030 COUNTS         | GLOVER GEORGE OLNEY                        | 1030 W COUNTS         | STEPHENVILLE | TX    | 76401-0000 |
| R000029718 | 910 LONG            | HODGKINS KALLIE                            | PO BOX 397            | STRAWN       | TX    | 76475      |
| R000031082 | 520 DUBLIN AVE      | HUME WILLIAM R JR                          | 520 DUBLIN AVE        | STEPHENVILLE | TX    | 76401      |
| R000031072 | 1021 COUNTS         | JAQUESS DAVID                              | 3519 ABE'S LANDING DR | GRANBURY     | TX    | 76049      |
| R000029729 | 975 MESQUITE        | PETTY CASSONDRA                            | 975 MESQUITE          | STEPHENVILLE | TX    | 76401      |
| R000029739 | 1010 COUNTS         | PRIETO DANIEL JR                           | 1010 W COUNTS ST      | STEPHENVILLE | TX    | 76401-0000 |
| R000029717 | 860 LONG            | RAYBION BLAKE DELENE & NICOLE              | 860 W LONG            | STEPHENVILLE | TX    | 76401      |
| R000031073 | 570 DUBLIN AVE      | SHUTEYE PEAK PROPERTIES LLC                | 1753 ALEX WAY         | TURLOCK      | CA    | 95382      |
| R000029735 | 515 DUBLIN AVE      | SHUTEYE PEAK PROPERTIES LLC                | 1753 ALEX WAY         | TURLOCK      | CA    | 95382      |
| R000031071 | 550 DUBLIN AVE      | SMITH GARY D & LOIS H                      | 550 DUBLIN AVE        | STEPHENVILLE | TX    | 76401      |
| R000029730 | 955 MESQUITE        | STRATMANN SUZANNE F (LIFE ESTATE)          | 955 MESQUITE ST       | STEPHENVILLE | TX    | 76401      |
| R000031081 | 510 DUBLIN AVE      | SVIEN DONNA MARIE                          | 510 DUBLIN            | STEPHENVILLE | TX    | 76401      |
| R000029733 | 501 DUBLIN AVE      | THURMAN JENNIFER D                         | 501 DUBLIN            | STEPHENVILLE | TX    | 76401      |
| R000029737 | 1008 COUNTS         | TOUCHSTONE RANCH LAND LLC                  | 15759 S US281         | HICO         | TX    | 76457      |





### CITY OF STEPHENVILLE

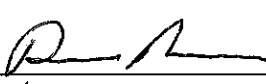
#### LETTER OF AUTHORIZATION FOR OWNER REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO BARRON STARK ENGINEERS, LP, ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AND AS INDICATED AT THE COUNTY APPRAISAL DISTRICT, TO SUBMIT, FILE AND PRESENT AN APPLICATION TO THE CITY OF STEPHENVILLE, TEXAS, TO REQUEST ZONING, CONSTRUCTION DOCUMENT, PRELIMINARY PLAT, AND FINAL PLAT APPROVAL AS DESCRIBED BELOW:

**ACKNOWLEDGEMENTS:**

I certify that the above information is correct and complete to the best of my knowledge and authorize representation by BARRON STARK ENGINEERS, L.P. at the Planning and Zoning Commission and City Council Meetings.

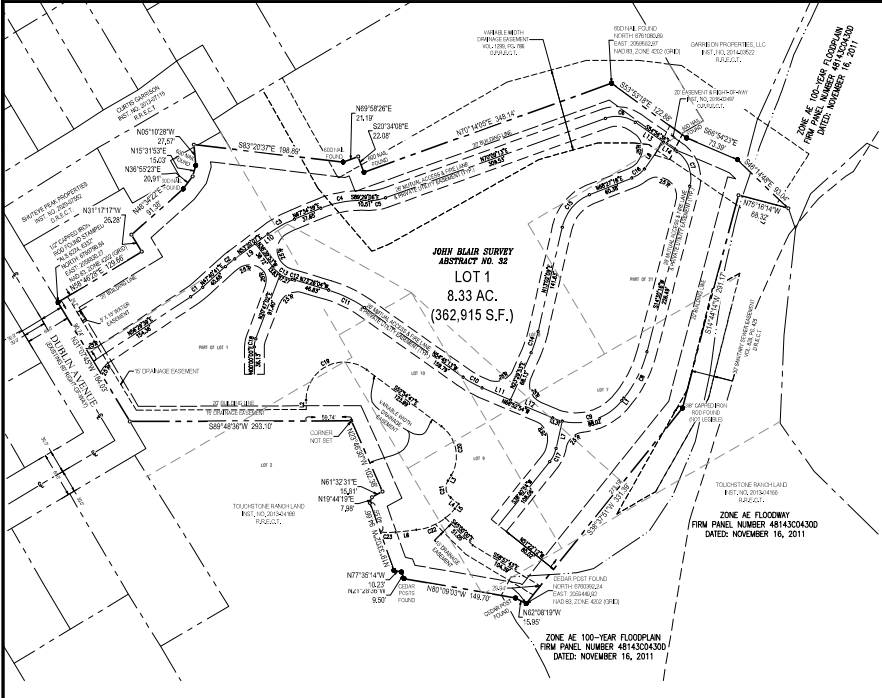
**CONSTRUCTION DOCUMENT, PRELIMINARY PLAT, VARIANCE REQUEST (IF APPLICABLE) AND FINAL PLAT APPLICATION FOR TEXAN VILLAS, CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS.**

OWNER:  8/10/2011  
Signature Date

555 Dublin Avenue LLC

ADDRESS: 200 Cochran Rd  
Weatherford, TX 76085

TELEPHONE: 940-659-8285



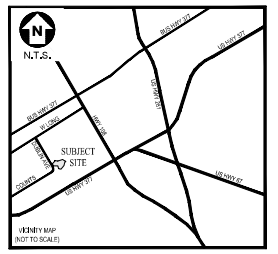
STATE OF TEXAS  
COUNTY OF BRAZOS

WILLIAM L. STANLEY, Surveyor  
My Comm. Expires 12/31/2011

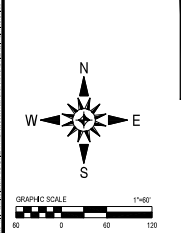
BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Notary Public, State of Texas



| LINE/TABLE | CHORD | CHORD BEARING | CHORD DISTANCE | CHORD BEARING | CHORD DISTANCE |
|------------|-------|---------------|----------------|---------------|----------------|
| 11         | 4.38  | S89°52'37"E   | 01             | 20.38         | 137°41'57"     |
| 12         | 12.88 | S89°52'37"E   | 02             | 14.08         | 142°00'00"     |
| 13         | 6.25  | S89°52'37"E   | 03             | 10.02         | 142°00'00"     |
| 14         | 13.24 | S89°52'37"E   | 04             | 10.08         | 137°41'57"     |
| 15         | 8.28  | S89°52'37"E   | 05             | 22.02         | 142°00'00"     |
| 16         | 27.84 | S89°52'37"E   | 06             | 14.08         | 142°00'00"     |
| 17         | 36.48 | S89°52'37"E   | 07             | 10.08         | 142°00'00"     |
| 18         | 43.88 | S89°52'37"E   | 08             | 10.08         | 142°00'00"     |



**NOTES:**

1. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

8. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

**CITY NOTES:**

THE SUBMITTER HEREBY REPRESENTS AND WARRANTS THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

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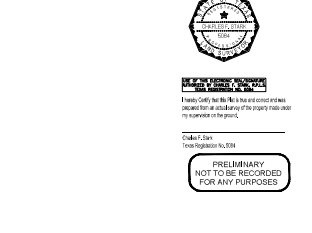
THE SUBMITTER HEREBY REPRESENTS AND WARRANTS THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

THE SUBMITTER HEREBY REPRESENTS AND WARRANTS THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

**DEVELOPMENT SERVICES SIGNATURE BLOCK:**

DIRECTOR OF DEVELOPMENT SERVICES \_\_\_\_\_ DATE \_\_\_\_\_ 2021

CITY SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_ 2021



Re Plat  
Lot 1  
**STEPHENVILLE MULTIFAMILY ADDITION**  
an Addition to the City of Stephenville,  
Erath County, Texas

Being a Re Plat  
Part of Lots 1, 2 and 3 of Block 73, and all of Lots 6, 9, and 10  
Block 72 and Parts of Lots 4, 5 and 7 and the remainder of Lot 8, Block 72

**CITY ADDITION**  
an Addition to the City of Stephenville, Erath County, Texas,  
according to the

**KING'S MAP OF STEPHENVILLE**  
Adopted and Dedicated thereon recorded in  
Volume 381, Page 105, Deed Records, Erath County, Texas  
and part of Lot 21, Block 72

**ORIGINAL CITY OF STEPHENVILLE**  
according to the Plat recorded in Cabinet A, Slide 270A  
Plat Records, Erath County, Texas

And Being Situated in the  
**JOHN BLAIR SURVEY, ABSTRACT NO. 32**  
City of Stephenville, Erath County, Texas

**Barron-Stark Engineers**  
6221 Southwest Boulevard, Suite 100  
Fort Worth, Texas 76132  
(817) 231-1100 (F) 817-231-1144  
Texas Registered Engineering Firm E-105880  
www.barronstark.com

**OWNERS:**  
BARRON-STARK ENGINEERS, L.L.C.  
100 SOUTH WORTH AVENUE, SUITE 100  
FORT WORTH, TEXAS 76102

**FILED FOR RECORD:**  
ERATH COUNTY, TEXAS PLAT RECORDED  
CABINET: SLIDE  
DATE: \_\_\_\_\_



# STAFF REPORT

**SUBJECT:** Case No.: PD2021-002

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of Cowtown Properties, is requesting a rezone of property located at 525 W Collins, Parcel R33237, of SHAPARD & COLLINS, BLOCK 6, LOTS 1 & 2 & A0032 BLAIR JOHN, of the City of Stephenville, Erath County, Texas, from (IND) Industrial to (PD) Planned Development. The applicant will present a conceptual plan. Formal action for the rezone request and approval of the Planned Development will be considered at a future meeting.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

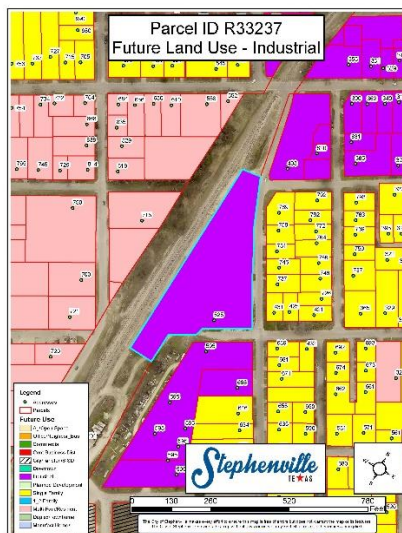
**RECOMMENDATION:**

To evaluate the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

**BACKGROUND:**

**APPLICANT REQUEST:**

The intended project for the requested zoning is for the construction of a townhome development. The concept plan proposed 37 units on 2.65 acres (density of 13.96 units per acre) with 68 parking spaces (generally, two spaces per unit are required).



**DESCRIPTION OF REQUESTED ZONING**

**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 or 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 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 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) No formal action to be taken at this time.

**ZONING AMENDMENT APPLICATION**

**CITY OF STEPHENVILLE**

1. **APPLICANT/OWNER:** Troy Kunkel of Cowtown Properties  
First Name Last Name

**ADDRESS:** 3745 Bellaire Dr. South  
Street/P.O. Box Phone No.  
Fort Worth TX 76109  
City State Zip Code

2. **PROPERTY DESCRIPTION:** 525 W Collins Street  
Street Address

3. **LEGAL DESCRIPTION:** 1 & 2 & A0032 Blair John, Blk 6 Shapard & Collins  
Lot(s) Block(s) Addition

R 33237

4. **PRESENT ZONING:** IND (Industrial)  
Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
The applicant is requesting a zoning change to propose a  
townhouse development. See attached concept plan.

(Attach an additional sheet if necessary)

Troy Kunkel  
Signature of Applicant

July 23, 2021  
Date

Jana Cole  
Signature of City Official Received

7/23/21  
Date Received

**EXHIBIT A**

Item 3.



**UNIT TABLE**

| TYPE           | # BLDGS | UNITS        |
|----------------|---------|--------------|
| 5 UNIT         | 6       | 30           |
| 4 UNIT         | 1       | 4            |
| 3 UNIT         | 1       | 3            |
| <b>TOTAL</b>   |         | <b>37</b>    |
| <b>TH AC</b>   |         | <b>2.65</b>  |
| <b>DENSITY</b> |         | <b>13.96</b> |

**PARKING TABLE**

|                       |           |
|-----------------------|-----------|
| REQUIRED              | 68        |
| PROVIDED              | 68        |
| <b>TOTAL PROVIDED</b> | <b>68</b> |



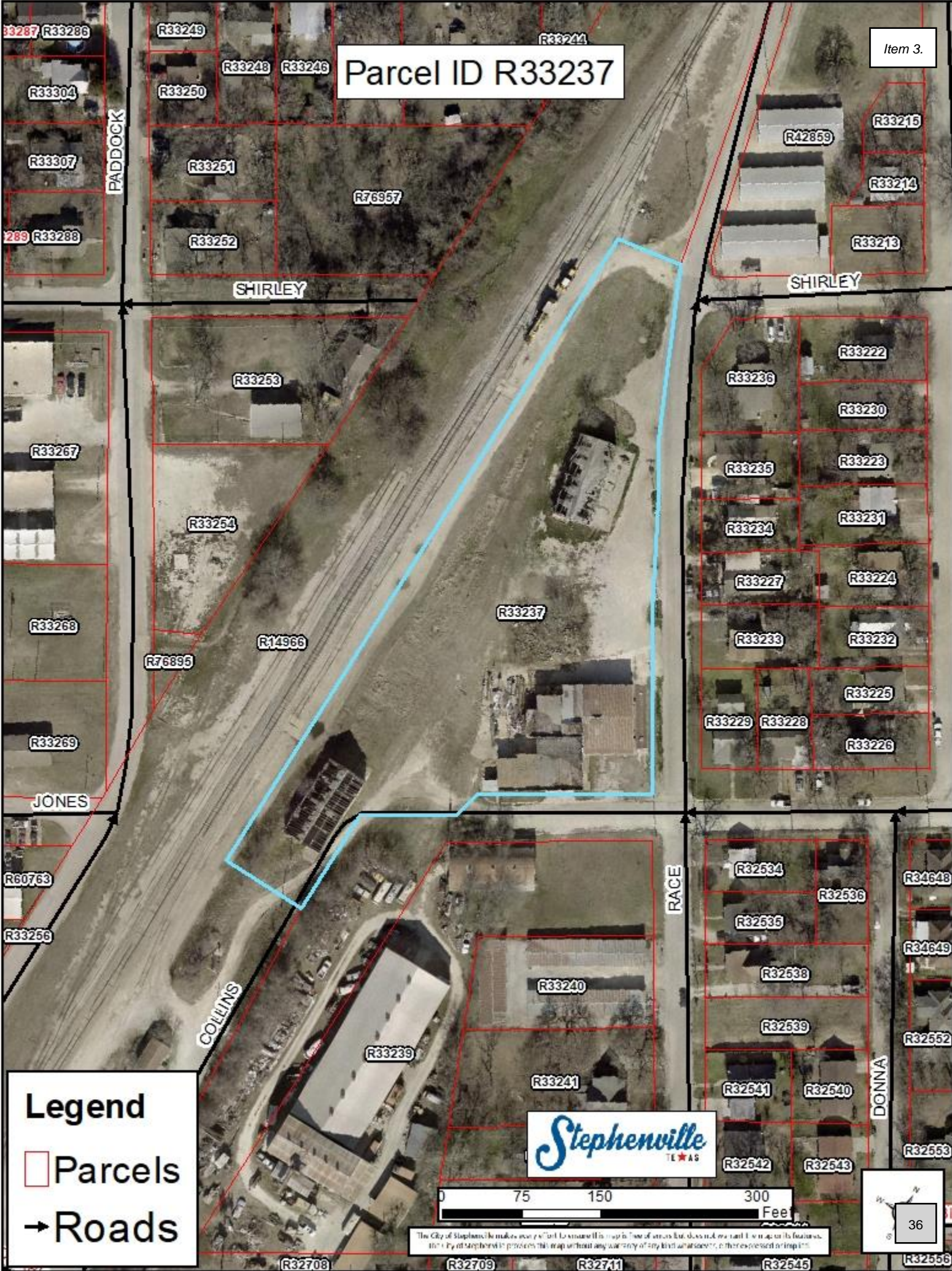
CONCEPT SITE PLAN 01  
525 COLLINS  
STEPHENVILLE, TX



State registration number: 11-2704  
North registration/permit number: 0328000  
510 WEST BUCKLEY  
WILLIAMSBURG, TEXAS 76610  
817-480-1831  
Fax: 817-374-8357  
WWW.MIMAAE.COM

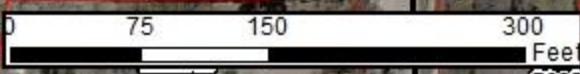
Parcel ID R33237

Item 3.



**Legend**

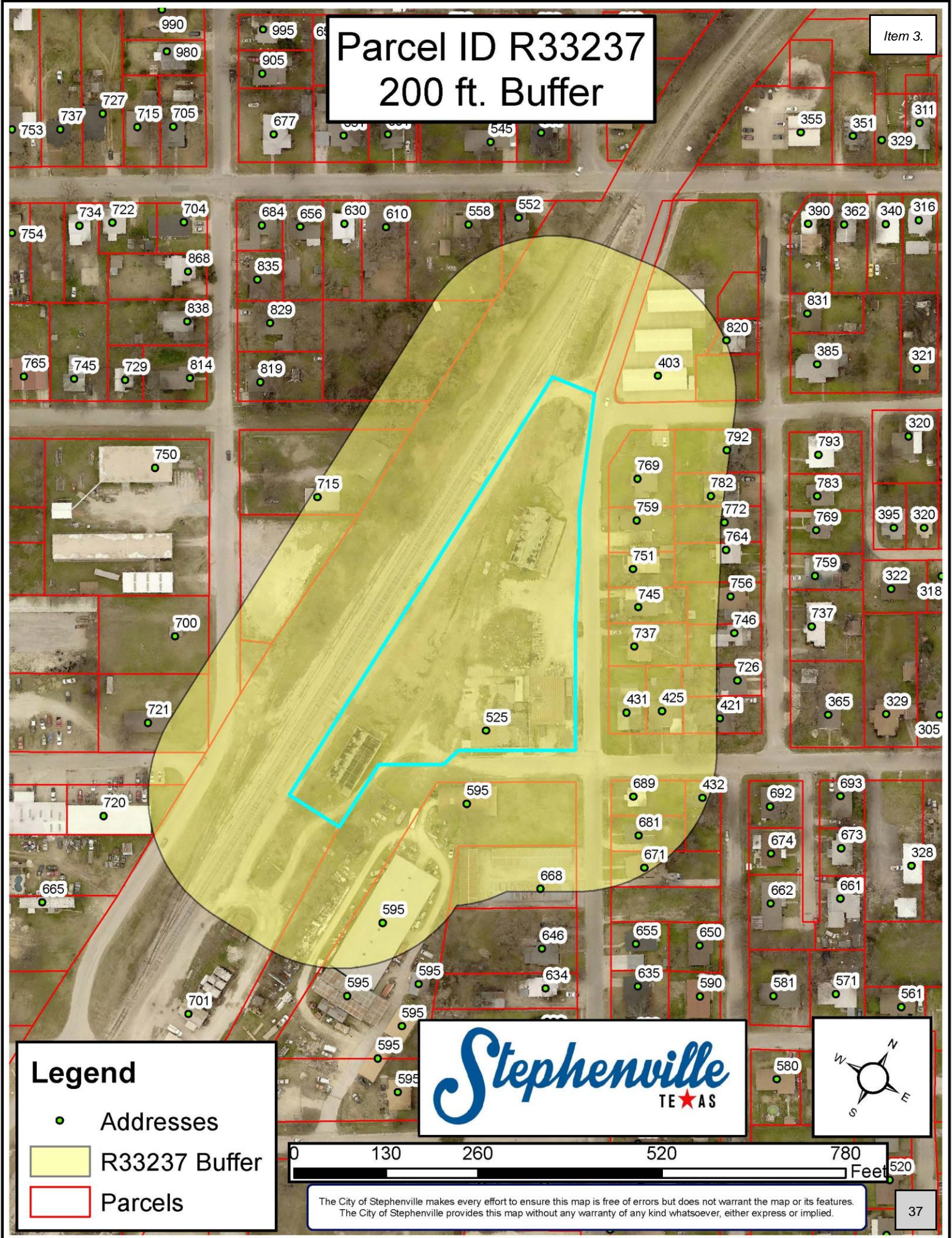
- Parcels
- Roads



The City of Stephenville makes every effort to ensure this map is true of areas but does not warrant it as such or its accuracy. The City of Stephenville provides this map without any warranty of any kind whatsoever, either expressed or implied.

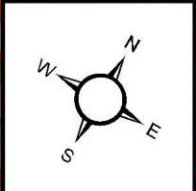
# Parcel ID R33237 200 ft. Buffer

Item 3.



**Legend**

- Addresses
- R33237 Buffer
- Parcels

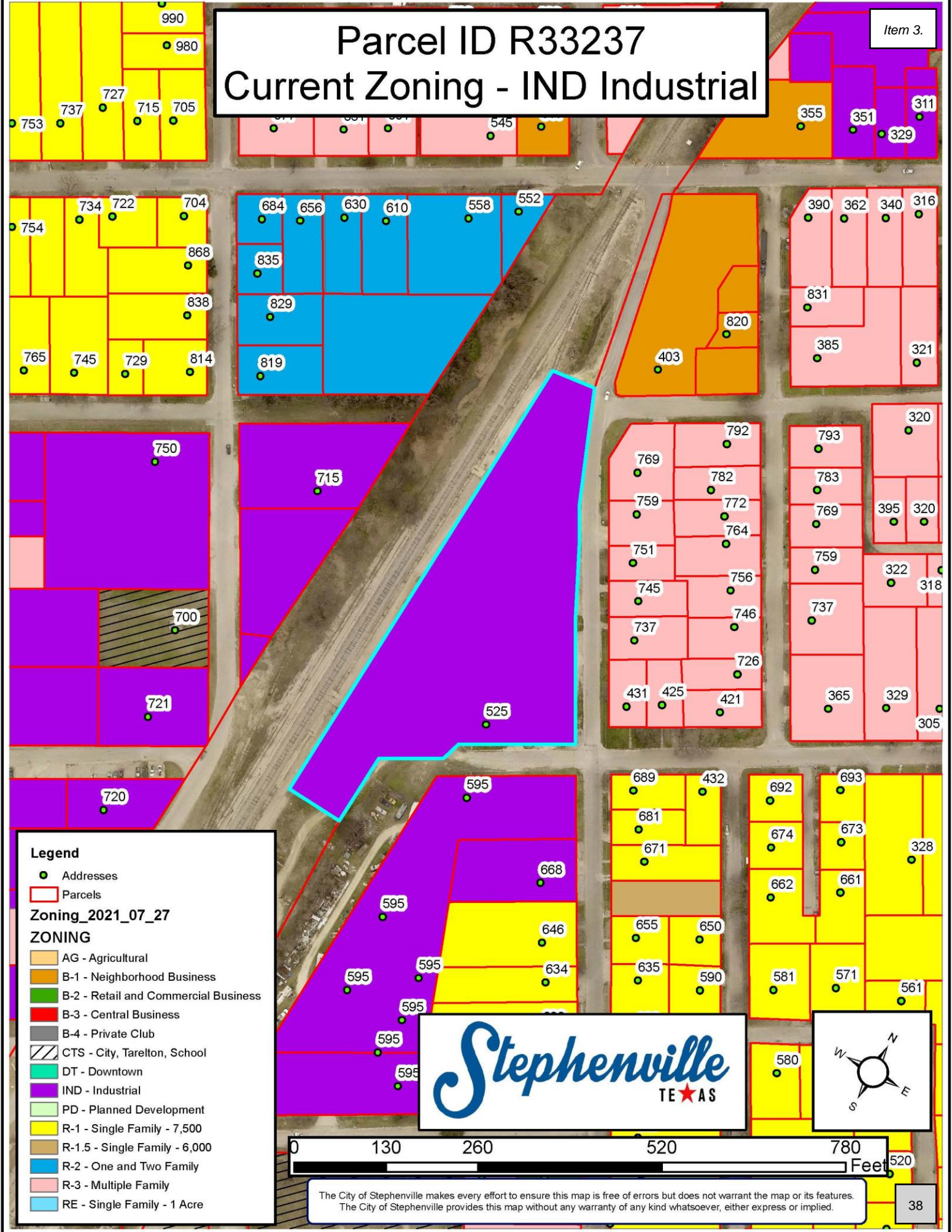


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# Parcel ID R33237

## Current Zoning - IND Industrial

Item 3.



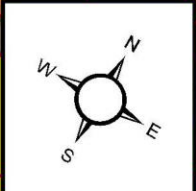
**Legend**

- Addresses
- ▭ Parcels

**Zoning\_2021\_07\_27**

**ZONING**

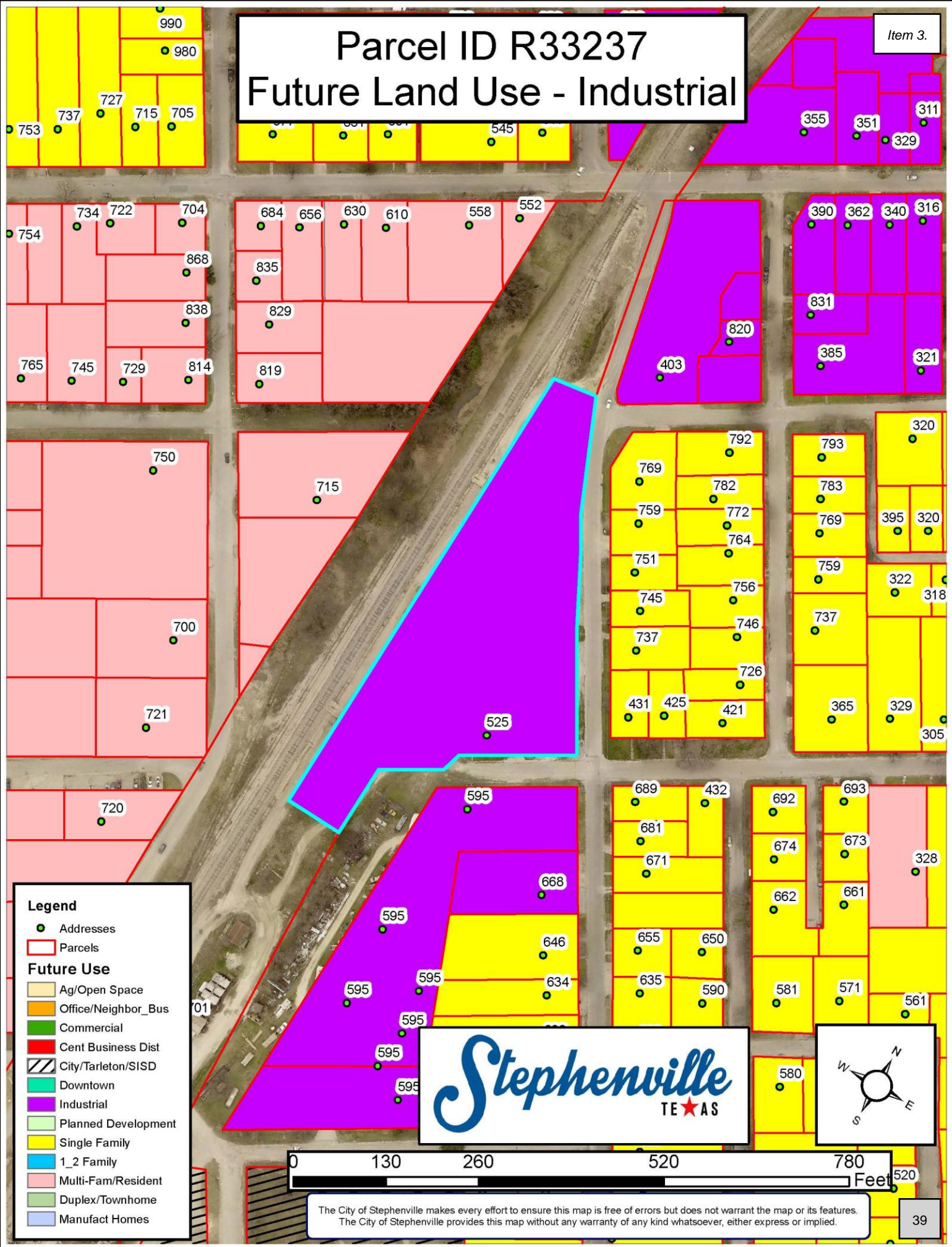
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tarelton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One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



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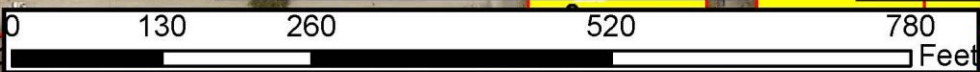
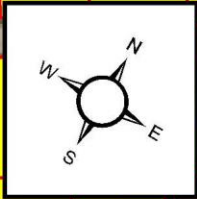
# Parcel ID R33237 Future Land Use - Industrial

Item 3.



### Legend

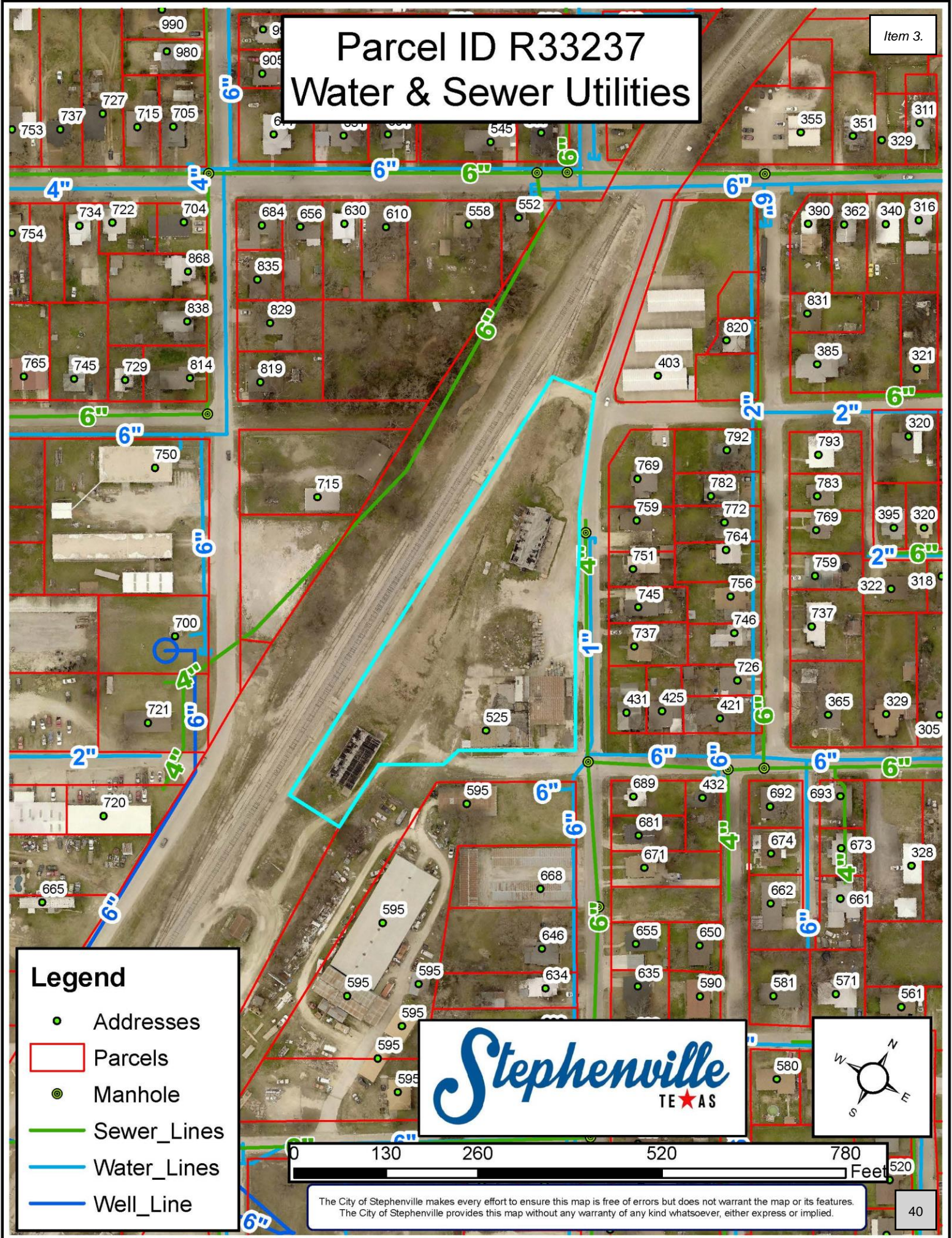
- Addresses
- Parcels
- Future Use**
- Ag/Open Space
- Office/Neighbor\_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1\_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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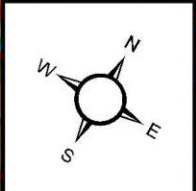
# Parcel ID R33237 Water & Sewer Utilities

Item 3.



**Legend**

- Addresses
- ▭ Parcels
- Manhole
- Sewer\_Lines
- Water\_Lines
- Well\_Line



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 R33237 Addresses

| Parcel ID  | Parcel Address           | Parcel Owner                                       | Owner Address               | City          | State | Zip Code   |
|------------|--------------------------|----------------------------------------------------|-----------------------------|---------------|-------|------------|
| R000033232 | 746 BARTON               | AGUILAR ISIDRO ARMANDO & EVERADO                   | 746 N BARTON ST             | STEPHENVILLE  | TX    | 76401      |
| R000042859 | 400 W SHIRLEY            | BACHUS JAMES O FAMILY TRUST                        | PO BOX 552                  | STEPHENVILLE  | TX    | 76401-0552 |
| R000033213 | 810 BARTON               | BACHUS JAMES P FAMILY TRUST                        | PO BOX 552                  | STEPHENVILLE  | TX    | 76401-7640 |
| R000033268 | 690 N PADDOCK            | CITY OF STEPHENVILLE                               | 298 W WASHINGTON            | STEPHENVILLE  | TX    | 76401-4257 |
| R000076895 | 0 N PADDOCK              | CITY OF STEPHENVILLE                               | 298 W WASHINGTON            | STEPHENVILLE  | TX    | 76401-4257 |
| R000033226 | 421 W COLLINS            | COLTON CARVER & JORDAN A                           | 421 W COLLINS               | STEPHENVILLE  | TX    | 76401      |
| R000033237 | 525 W COLLINS            | COWTOWN PROPERTIES LLC                             | 3745 BELLAIRE DR SOUTH      | FORT WORTH    | TX    | 76109      |
| R000033214 | 820 BARTON               | ELSNER PAMELA D                                    | 820 N BARTON                | STEPHENVILLE  | TX    | 76401      |
| R000033224 | 756 N BARTON             | EQUITY TRUST COMPANY FBO SCOTT VOSS IRA            | 112 WHITNEY DR              | HICKORY CREEK | TX    | 75065      |
| R000014966 | 0 N PADDOCK & VANDERBILT | FORT WORTH & WESTERN RAILROAD                      | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH    | TX    | 76116-5738 |
| R000033245 | 558 W FREY               | FOSTER DAVID                                       | 558 W FREY                  | STEPHENVILLE  | TX    | 76401      |
| R000033223 | 772 BARTON               | GONZALES DANIEL CECILIO & GERARDO CECILIO          | 580 SECOND                  | STEPHENVILLE  | TX    | 76401      |
| R000033241 | 646 N RACE               | GRAY-MANDALA ANTHONY                               | 646 N RACE ST               | STEPHENVILLE  | TX    | 76401      |
| R000033269 | 721 W JONES              | HALE RICK                                          | 150 N HARBIN DR SUITE 430   | STEPHENVILLE  | TX    | 76401      |
| R000033222 | 792 BARTON               | HAMMOND JORY W & YEVA G SLAUGHTER                  | 792 N BARTON                | STEPHENVILLE  | TX    | 76401      |
| R000033233 | 737 RACE                 | HARMON DEBRA L                                     | 2159 CR279                  | DUBLIN        | TX    | 76446      |
| R000033240 | 668 RACE                 | HARRIS DALE & DEBBY                                | 102 WILLOW LANE             | STEPHENVILLE  | TX    | 76401      |
| R000033244 | 552 FREY                 | HURST TAMATHA                                      | 6302 SIOUX DR               | GRANBURY      | TX    | 76049      |
| R000076957 | 0 PADDOCK (OFF)          | J & S FAMILY HOLDINGS LLC                          | PO BOX 1201                 | STEPHENVILLE  | TX    | 76401      |
| R000032534 | 689 RACE                 | J & S FAMILY HOLDINGS LLC                          | PO BOX 1201                 | STEPHENVILLE  | TX    | 76401      |
| R000033229 | 431 COLLINS              | KEELER GORDON WAYNE                                | 2111 4TH ST                 | BROWNWOOD     | TX    | 76801-4847 |
| R000033239 | 595 W VANDERBILT         | LEE MARCHELLE                                      | 695 PRAIRIE WIND BLVD       | STEPHENVILLE  | TX    | 76401      |
| R000033235 | 759 RACE                 | MANRRIQUEZ GERARDO & CLARA                         | 759 N RACE                  | STEPHENVILLE  | TX    | 76401      |
| R000060763 | 695 MCCART               | MCDONALD RICHARD & JANE MCDONALD FAMILY TRUST      | PO BOX 1783                 | STEPHENVILLE  | TX    | 76401-0000 |
| R000033230 | 782 BARTON               | NEUBERT KATE                                       | 5676 CR258                  | DUBLIN        | TX    | 76446      |
| R000033236 | 769 RACE                 | PAUL JAMES & KARLA                                 | 2836 DOSS ROAD              | BURLESON      | TX    | 76028      |
| R000033231 | 764 BARTON               | RITCHEY ASHLEY V & JOSHUA R                        | 990 N OLLIE                 | STEPHENVILLE  | TX    | 76401      |
| R000033227 | 745 RACE                 | SAMORA IMELDA                                      | 745 N RACE                  | STEPHENVILLE  | TX    | 76401      |
| R000033256 | 661 MCCART               | SOTO FELIPE                                        | 3175 CR386                  | STEPHENVILLE  | TX    | 76401-8510 |
| 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      |
| R000033225 | 726 BARTON               | STE MARIE JASON & SARAH                            | 846 SUN DOWN                | STEPHENVILLE  | TX    | 76401-4643 |
| R000032539 | 660 DONNA AVE            | STEPHENVILLE RENTALS LLC                           | 181 S GRAHAM                | STEPHENVILLE  | TX    | 76401      |
| R000032538 | 671 N RACE               | TEVIS ROBERT AND APRIL TEVIS                       | 2715 CR 299                 | DUBLIN        | TX    | 76446      |
| R000033254 | 713 N PADDOCK            | TRIPLE W REMODELING LLC                            | 101 TANGLEWOOD LANE         | STEPHENVILLE  | TX    | 76401      |
| R000033228 | 425 W COLLINS            | TUGGLE TYLER                                       | 425 W COLLINS STREET        | STEPHENVILLE  | TX    | 76401      |
| R000033253 | 715 N PADDOCK            | WOOLEY WILLIS WAYNE                                | 101 TANGLEWOOD LANE         | STEPHENVILLE  | TX    | 76401      |
| R000033234 | 751 RACE                 | YORK CAMERON ALLEN DUDZINSKI & ALYSSA MARIE LOREDO | 751 RACE ST                 | STEPHENVILLE  | TX    | 76401      |

## ZONING AMENDMENT APPLICATION

### CITY OF STEPHENVILLE

1. **APPLICANT/OWNER:** Troy Kunkel  
First Name Last Name

**ADDRESS:** \_\_\_\_\_  
Street/P.O. Box Phone No.

\_\_\_\_\_  
City State Zip Code

2. **PROPERTY DESCRIPTION:** 525 W Collins Street  
Street Address

3. **LEGAL DESCRIPTION:** 1-2 6  
Lot(s) Block(s) Addition

4. **PRESENT ZONING:** IND (Industrial)  
Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
The applicant is requesting a zoning change to propose a  
townhouse development. See attached concept plan.

(Attach an additional sheet if necessary)

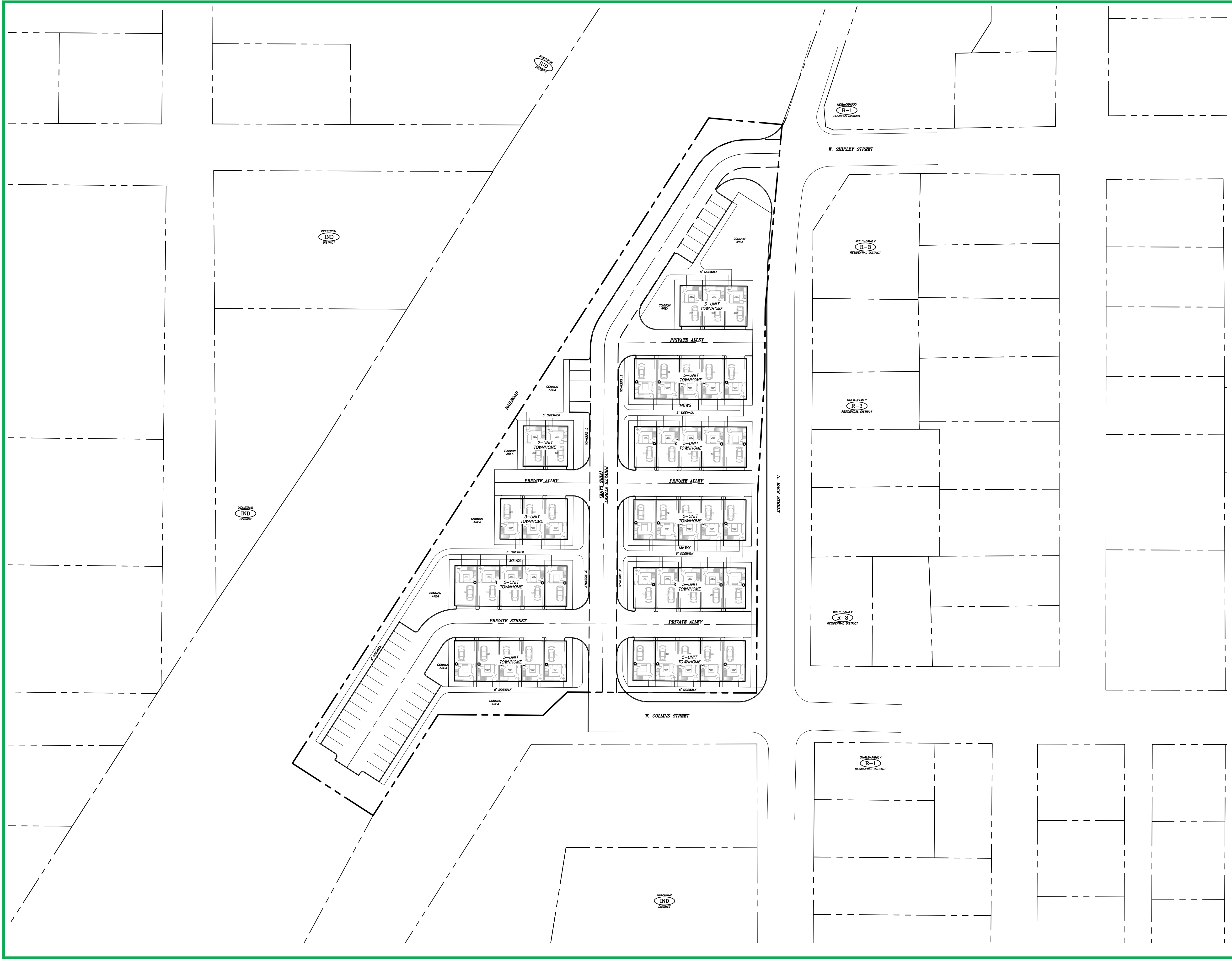
  
\_\_\_\_\_  
Signature of Applicant

July 23, 2021

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of City Official Received

\_\_\_\_\_  
Date Received

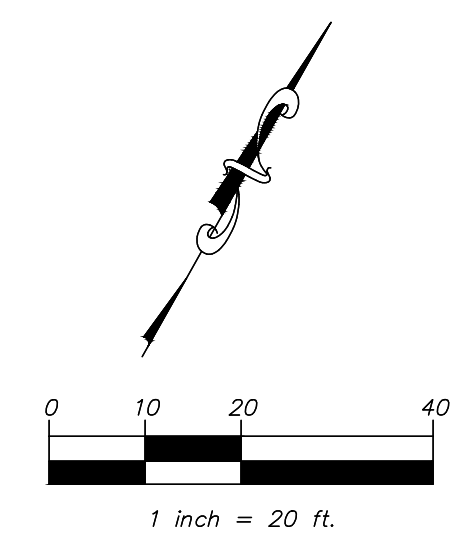


VICINITY MAP

| DEVELOPMENT STANDARDS              | TH LOTS  |
|------------------------------------|----------|
| MINIMUM FLOOR AREA (SF)            | 1,500 SF |
| MINIMUM LOT AREA (SF)              | 800 SF   |
| MINIMUM LOT WIDTH                  | 20'      |
| MINIMUM LOT DEPTH                  | 40'      |
| MINIMUM FRONT SETBACK              | 3'       |
| MINIMUM REAR SETBACK               | 3'       |
| MINIMUM INTERIOR SIDE YARD SETBACK | 0'       |
| MINIMUM EXTERIOR SIDE YARD SETBACK | 5'       |

LAND USE SUMMARY TABLE

| LOT TYPE           | #  |
|--------------------|----|
| TOWNHOME LOT       | 43 |
| PRIVATE ACCESS LOT | 1  |
| OPEN SPACE LOT     | 4  |



**SITE PLAN**  
855 WASHINGTON - TOWNHOMES  
STEPHENVILLE, TX

**mima**  
civil engineering surveying landscape architecture planning  
tbpels registration number: 1-2759  
tbpels registration/license number: 10088000  
519 east border  
arlington, texas 76010  
817-469-1671  
fax: 817-274-8757  
www.mmatexas.com

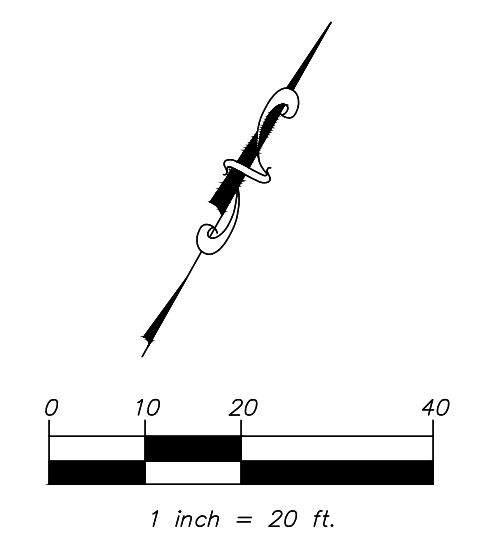
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VICINITY MAP

| DEVELOPMENT STANDARDS              | TH LOTS  |
|------------------------------------|----------|
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| MINIMUM EXTERIOR SIDE YARD SETBACK | 5'       |

| LAND USE SUMMARY TABLE |    |
|------------------------|----|
| LOT TYPE               | #  |
| TOWNHOME LOT           | 43 |
| PRIVATE ACCESS LOT     | 1  |
| OPEN SPACE LOT         | 6  |



**LAND PLAN**  
855 WASHINGTON - TOWNHOMES  
STEPHENVILLE, TX

**mima**  
civil engineering surveying landscape architecture planning  
tbpels registration number: 1 - 2759  
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519 east border  
arlington, texas 76010  
817-469-1671  
fax: 817-274-8757  
www.mmatexas.com

PLOTTED BY: JACOB SUMPTER DATE: 7/29/2021 3:03 PM PATH: P:\59500-00\1000\Planning & Zoning\2021\_Zoning\Design\Grid Sheets\STEP PLAN.dwg



# STAFF REPORT

**SUBJECT:** Case No.: PD2021-003

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 817 W Washington, Parcel R29583, of CITY ADDITION, BLOCK 62, LOTS 6A;7;14;17; (PT, OF 14), of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

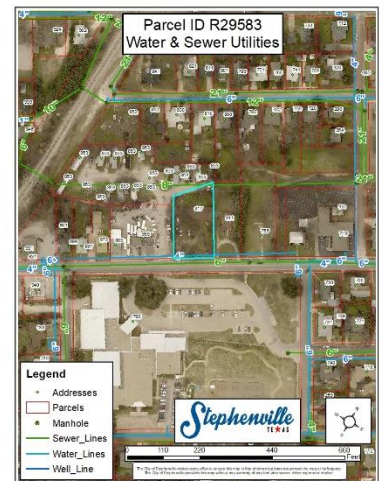
**RECOMMENDATION:**

To evaluate the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

**BACKGROUND:**

**APPLICANT REQUEST:**

The intended project for the requested zoning is for the construction of a townhome development. The concept plan proposed 23 units on 0.94 acres (density of 24.47 units per acre) with 51 parking spaces (exceeding the two spaces per unit requirement).



**DESCRIPTION OF REQUESTED ZONING**

**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 or 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 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 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) No formal action to be taken at this time.

### ZONING AMENDMENT APPLICATION

#### CITY OF STEPHENVILLE

1. **APPLICANT/OWNER:** Troy Kunkel  
First Name Last Name

**ADDRESS:** of 598 Westwood, LLC  
PO Box 12324  
Street/P.O. Box Phone No.

Fort Worth TX 76110  
City State Zip Code

2. **PROPERTY DESCRIPTION:** R29583 817 W Washington Street  
Street Address

3. **LEGAL DESCRIPTION:** 6A; 7; 14; 17; (PT. OF 14) 62 CITY ADDITION  
Lot(s) Block(s) Addition

4. **PRESENT ZONING:** B-2 Secondary and Highway Business  
Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
The applicant is requesting a zoning change to propose a  
townhouse development. See attached concept plan.

(Attach an additional sheet if necessary)

[Signature]  
Signature of Applicant

July 23, 2021  
Date

[Signature]  
Signature of City Official Received

7/23/21  
Date Received

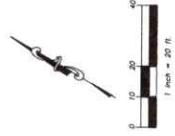
**EXHIBIT A**



| LIMIT TABLE |    | # BLDGS |    | LIMITS |  |
|-------------|----|---------|----|--------|--|
| 5 UNIT      | 0  | 0       | 0  |        |  |
| 4 UNIT      | 5  | 5       | 20 |        |  |
| 3 UNIT      | 20 | 20      | 80 |        |  |
| TOTAL       |    |         |    |        |  |
| TH AC       |    | 0.94    | 28 |        |  |
| DENSITY     |    | 29.67   |    |        |  |

| PARKING TABLE  |    |
|----------------|----|
| BLDG. PROVIDED | S1 |
| TOTAL PROVIDED | S1 |



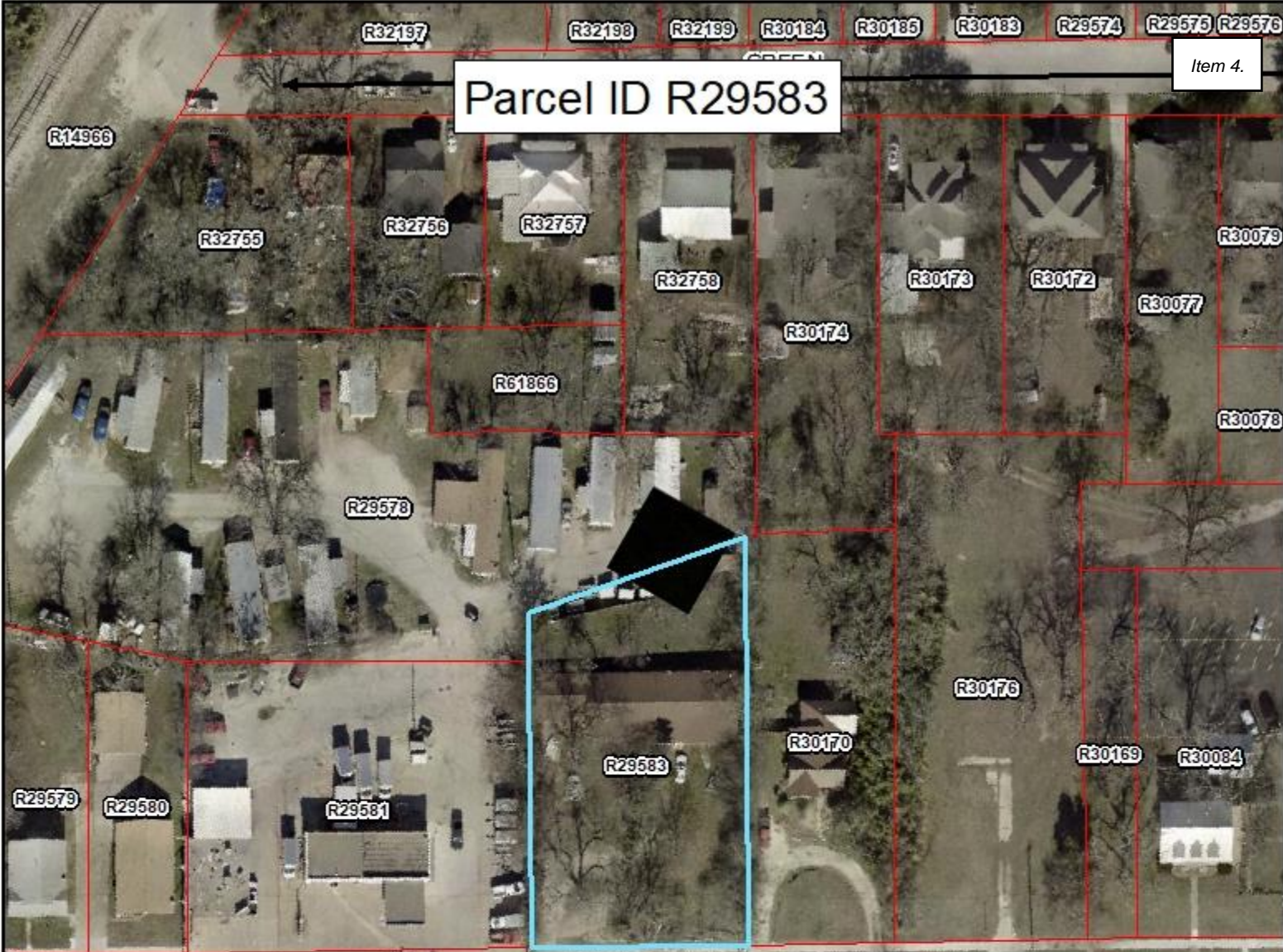
CONCEPT SITE PLAN 01  
 855 WASHINGTON  
 STEPHENVILLE, TX

**mlma**  
 Multi-Media Land Management Associates, Inc.  
 10000 Highway 100, Suite 1000  
 Houston, Texas 77036  
 Tel: 281-410-1111  
 Fax: 281-410-1112  
 www.mlma.com

R32197 R32198 R32199 R30184 R30185 R30183 R29574 R29575 R29576

Parcel ID R29583

Item 4.



WASHINGTON

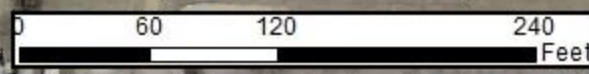


PADDOCK

COLLE

Legend

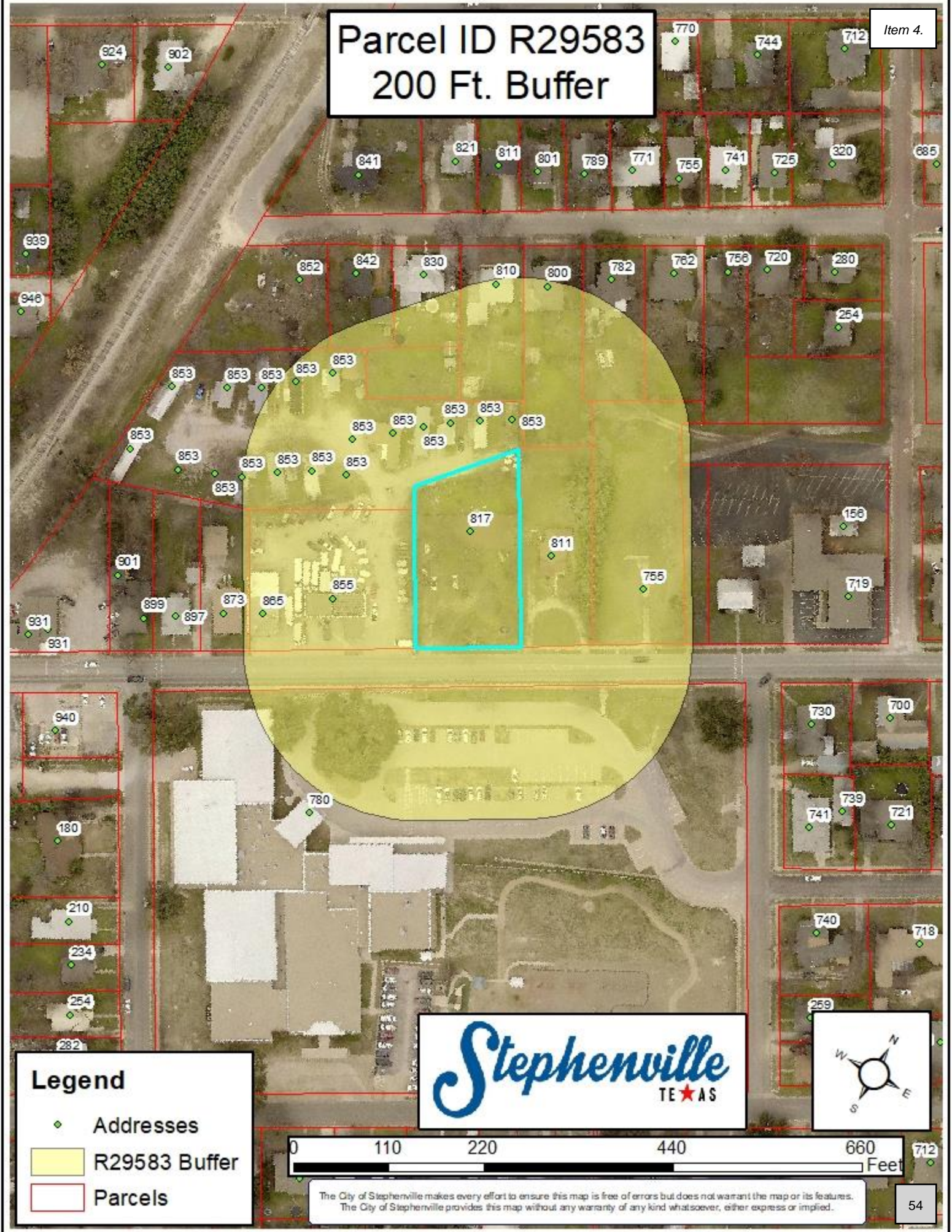
- Parcels
- Roads



The City of Stephenville makes every effort to ensure this map is true of areas but does not warrant it as such or its business. The City of Stephenville provides this map without any warranty of any kind whatsoever, either expressed or implied.

# Parcel ID R29583 200 Ft. Buffer

Item 4.



**Legend**

- ◆ Addresses
- R29583 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 ID R29583 Current Zoning - B2 - Retail & Commercial

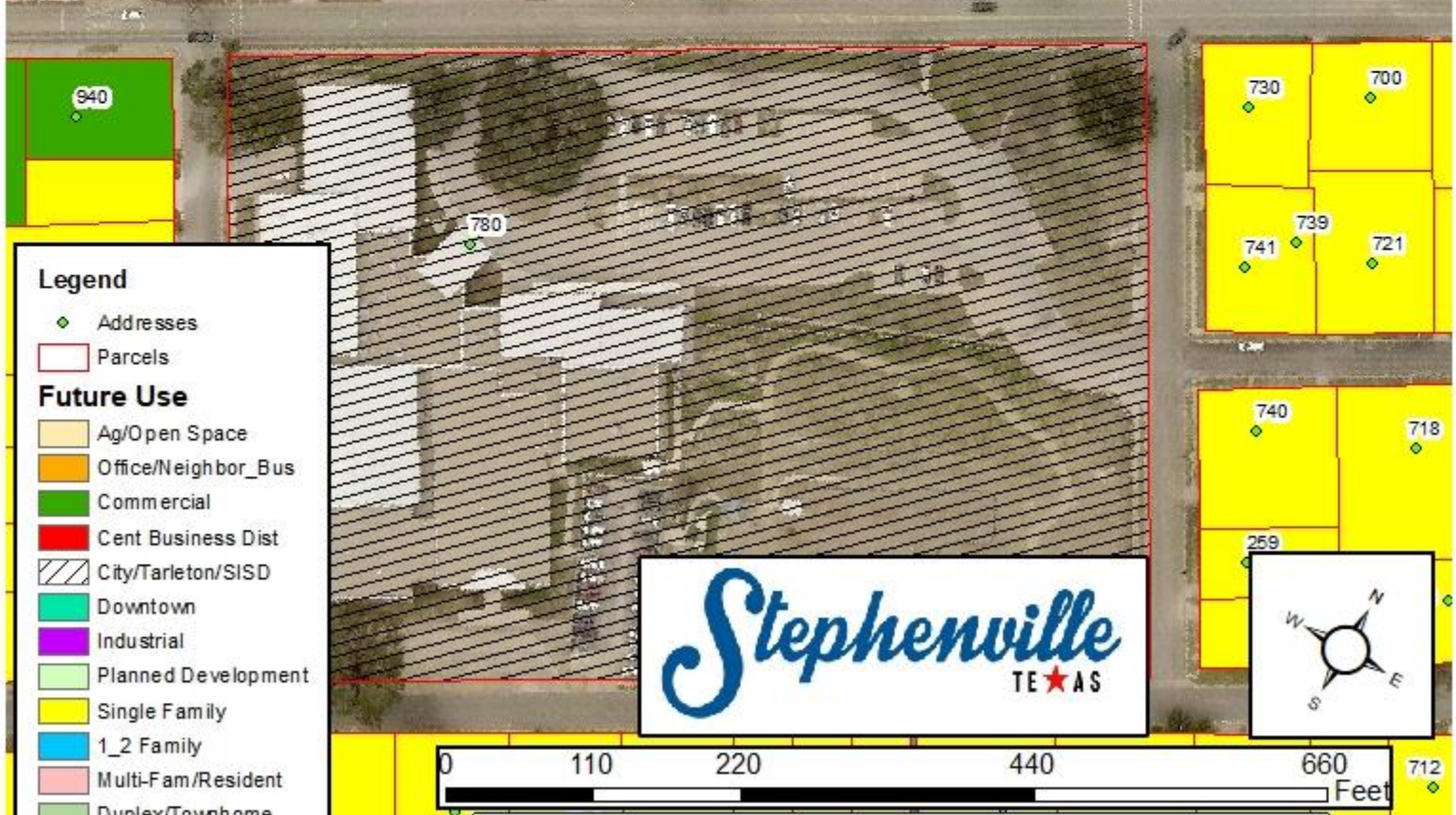


- Legend**
- ◆ Addresses
  - ▭ Parcels
- Zoning\_2021\_07\_27**
- ZONING**
- AG - Agricultural
  - B-1 - Neighborhood Business
  - B-2 - Retail and Commercial Business
  - B-3 - Central Business
  - B-4 - Private Club
  - CTS - City, Tareyton, School
  - DT - Downtown
  - IND - Industrial
  - PD - Planned Development
  - R-1 - Single Family - 7,500
  - R-1.5 - Single Family - 6,000
  - R-2 - One and Two Family
  - R-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 ID R29583 Future Land Use - Office/Neighborhood Business

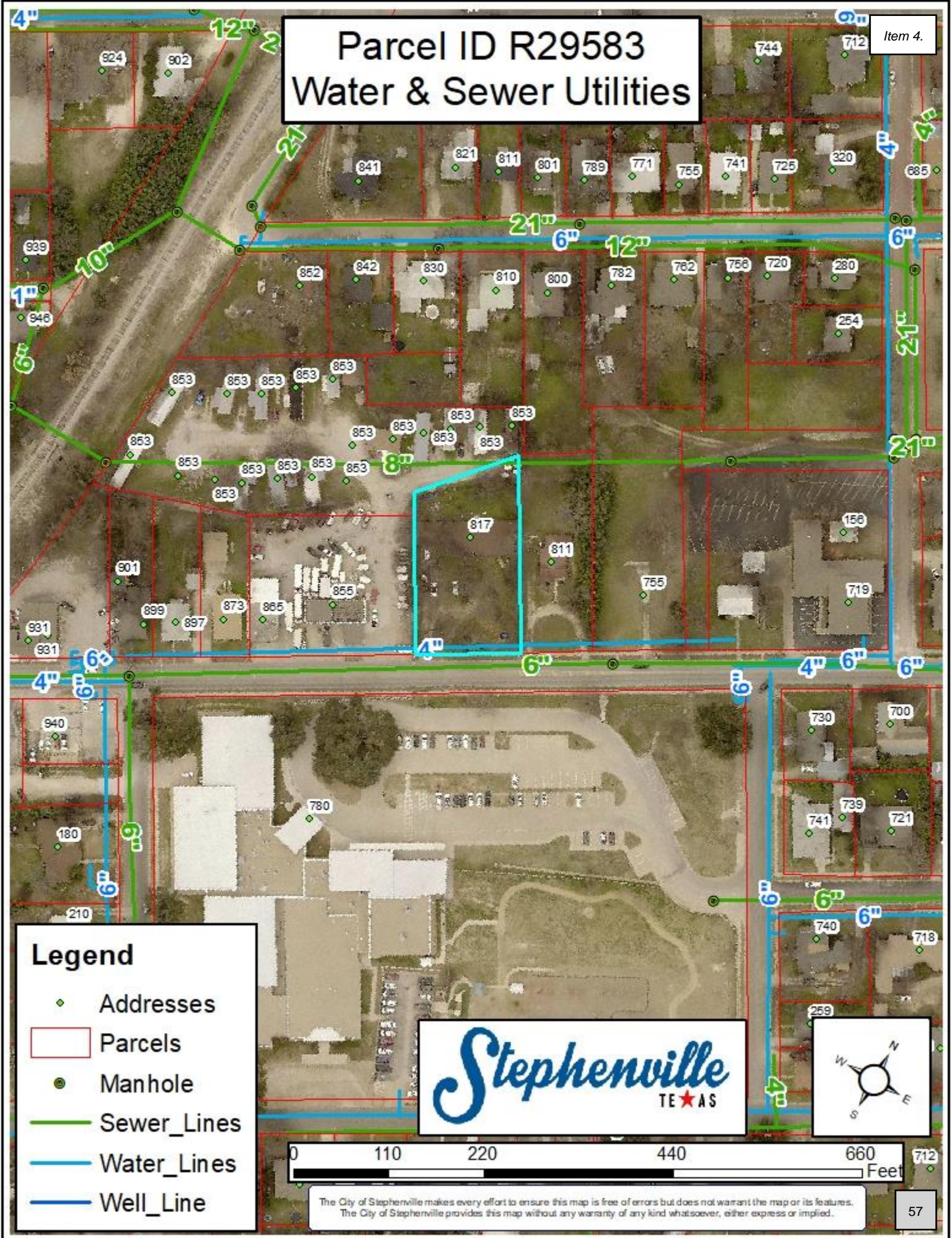


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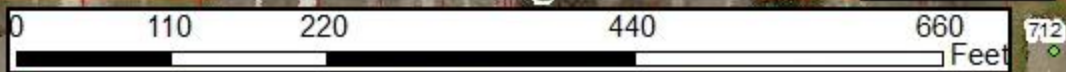
# Parcel ID R29583 Water & Sewer Utilities

Item 4.



**Legend**

- ◆ Addresses
- Parcels
- Manhole
- Sewer\_Lines
- Water\_Lines
- Well\_Line



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 R29583 Addresses

| Parcel ID  | Parcel Address   | Parcel Owner                              | Owner Address         | City          | State | Zip Code   |
|------------|------------------|-------------------------------------------|-----------------------|---------------|-------|------------|
| R000029580 | 873 W WASHINGTON | 598 WESTWOOD LLC                          | PO BOX 12324          | FORT WORTH    | TX    | 76110      |
| R000029581 | 855 W WASHINGTON | 598 WESTWOOD LLC                          | PO BOX 12324          | FORT WORTH    | TX    | 76110      |
| R000029583 | 817 W WASHINGTON | 598 WESTWOOD LLC                          | PO BOX 12324          | FORT WORTH    | TX    | 76110      |
| 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      |
| R000032756 | 842 GREEN        | CHILDRESS REVOCABLE TRUST & MARENDIA LONG | 1132 ELK RIDGE DR     | STEPHENVILLE  | TX    | 76401-6061 |
| 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 N DEAN & SHARON H                   | 782 W GREEN ST        | STEPHENVILLE  | TX    | 76401-0000 |
| R000032755 | 852 W GREEN      | SECHRIST JERRY L & SHIRLEY                | 852 W GREEN           | 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 |

**ZONING AMENDMENT APPLICATION**

**CITY OF STEPHENVILLE**

1. **APPLICANT/OWNER:** Troy Kunkel  
 First Name Last Name

**ADDRESS:** \_\_\_\_\_  
 Street/P.O. Box Phone No.  
 \_\_\_\_\_  
 City State Zip Code

2. **PROPERTY DESCRIPTION:** 873, 865, 855, 817 W Washington Street  
 Street Address

3. **LEGAL DESCRIPTION:** 3,4,5,6-B & 6-A 62  
 Lot(s) Block(s) Addition

4. **PRESENT ZONING:** B-2 Secondary and Highway Business  
 Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
 Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
The applicant is requesting a zoning change to propose a  
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(Attach an additional sheet if necessary)

  
 Signature of Applicant

July 23, 2021  
 Date

\_\_\_\_\_  
 Signature of City Official Received

\_\_\_\_\_  
 Date Received

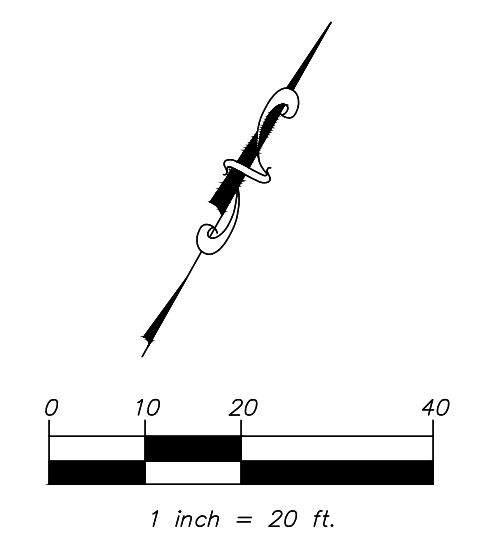


VICINITY MAP

| DEVELOPMENT STANDARDS              | TH LOTS  |
|------------------------------------|----------|
| MINIMUM FLOOR AREA (SF)            | 1,500 SF |
| MINIMUM LOT AREA (SF)              | 800 SF   |
| MINIMUM LOT WIDTH                  | 20'      |
| MINIMUM LOT DEPTH                  | 40'      |
| MINIMUM FRONT SETBACK              | 3'       |
| MINIMUM REAR SETBACK               | 3'       |
| MINIMUM INTERIOR SIDE YARD SETBACK | 0'       |
| MINIMUM EXTERIOR SIDE YARD SETBACK | 5'       |

LAND USE SUMMARY TABLE

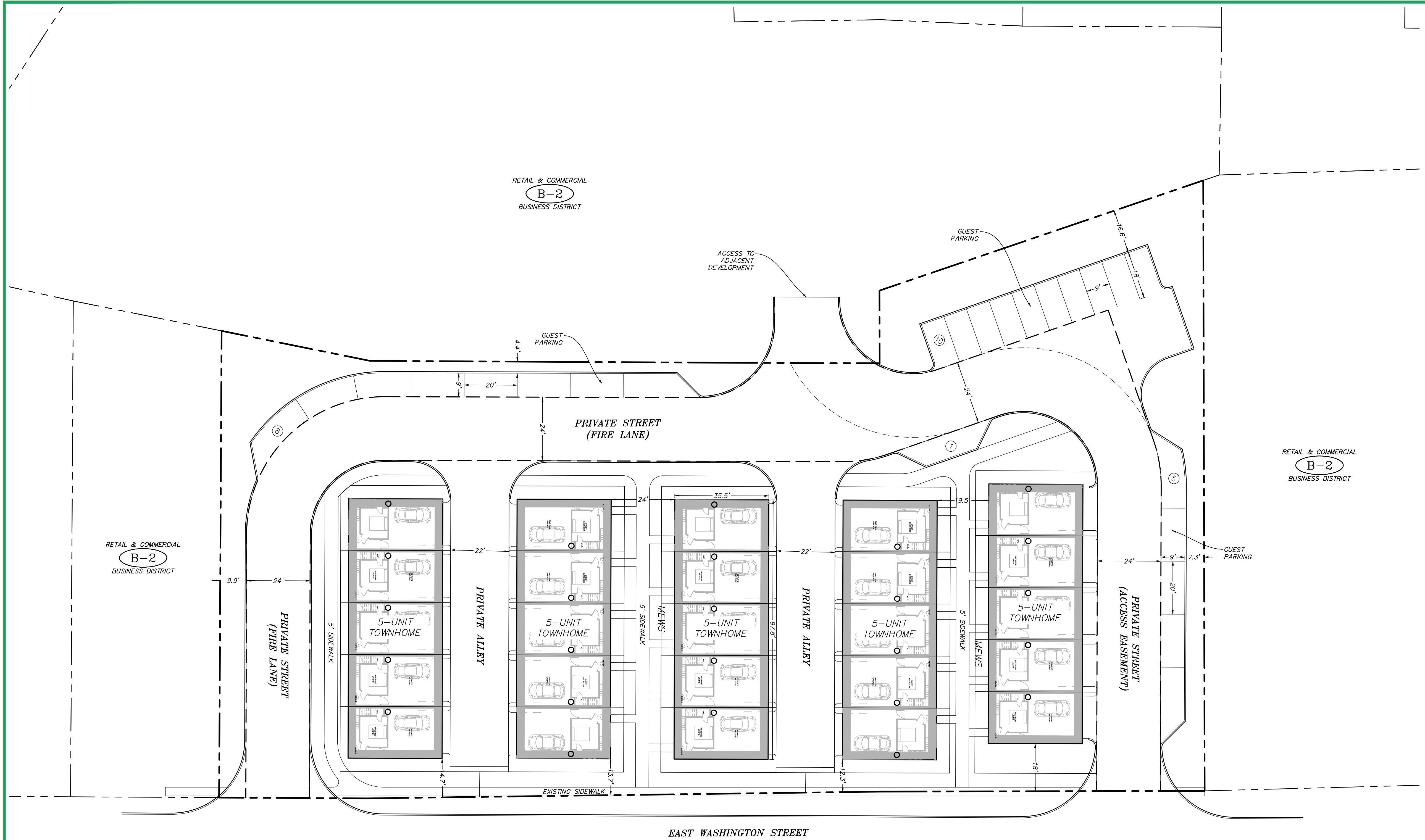
| LOT TYPE           | #  |
|--------------------|----|
| TOWNHOME LOT       | 25 |
| PRIVATE ACCESS LOT | 1  |
| OPEN SPACE LOT     | 4  |



**SITE PLAN**  
 855 WASHINGTON - TOWNHOMES  
 STEPHENVILLE, TX



**mima**  
 civil engineering surveying landscape architecture planning  
 tlpels registration number: 1 - 2759  
 tlpels registration/license number: 10088000  
 519 east border  
 arlington, texas 76010  
 817-469-1671  
 fax: 817-274-8757  
 www.mimatexas.com



RETAIL & COMMERCIAL  
**B-2**  
 BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
 BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
 BUSINESS DISTRICT

EAST WASHINGTON STREET

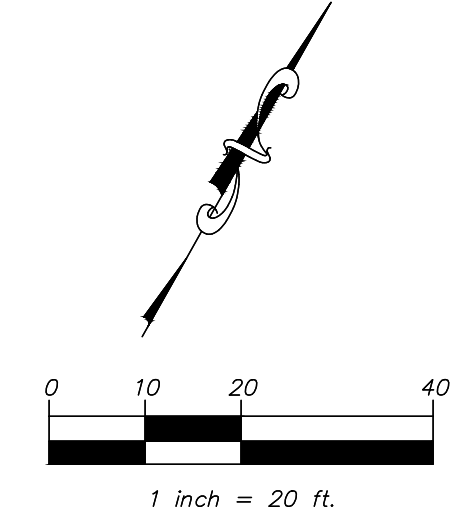
CITY, TARLETON  
**CTS**  
 SCHOOL



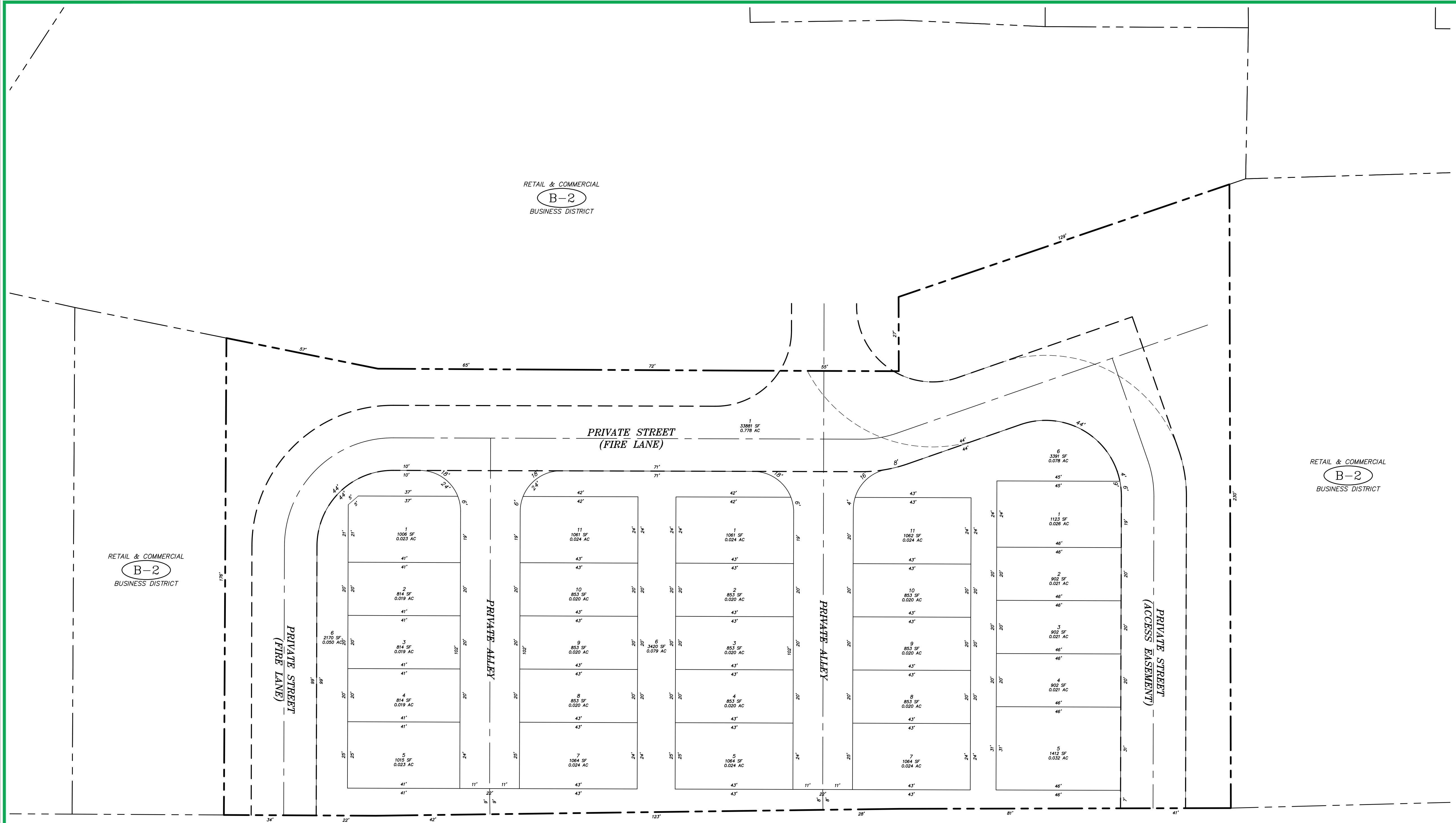
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| LAND USE SUMMARY TABLE |    |
|------------------------|----|
| LOT TYPE               | #  |
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| OPEN SPACE LOT         | 4  |



**LAND PLAN**  
855 WASHINGTON - TOWNHOMES  
STEPHENVILLE, TX



RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

CITY, TARLETON  
CTS  
SCHOOL

**mima**  
civil engineering surveying landscape architecture planning  
tbpels registration number: 1 - 2759  
tbpels registration/license number: 10088000  
519 east border  
arlington, texas 76010  
817-469-1671  
fax: 817-274-8757  
www.mimatexas.com

**Steve Killen**

---

**From:** Steve Killen  
**Sent:** Wednesday, August 18, 2021 11:05 AM  
**To:** Steve Killen  
**Subject:** FW: Planning and Zoning: Applicants Reese Flanagan/ Troy Kunkel

**Steve Killen**

Director  
Development Services



**P:** (254) 918-1222 | **C:** (214) 677-8352  
**E:** [skillen@stephenvilletx.gov](mailto:skillen@stephenvilletx.gov)



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*This e-mail contains the thoughts and opinions of Steve Killen and does not represent official City of Stephenville policy.  
Note to elected officials: Please respond only to the sender of this message. Reply to all may result in a violation of the Texas Open Meetings Act.*

---

**From:** Steve Killen  
**Sent:** Tuesday, August 17, 2021 8:29 AM  
**To:** 'Dee Averitt' <daveritt@hotmail.com>  
**Subject:** RE: Planning and Zoning: Applicants Reese Flanagan/ Troy Kunkel

Good morning,

Received.

I will provide this letter to the Commission Chair.

Thank you.

**Steve Killen**

Director  
Development Services



**P:** (254) 918-1222 | **C:** (214) 677-8352  
**E:** [skillen@stephenvilletx.gov](mailto:skillen@stephenvilletx.gov)



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*This e-mail contains the thoughts and opinions of Steve Killen and does not represent official City of Stephenville policy.*

*Note to elected officials: Please respond only to the sender of this message. Reply to all may result in a violation of the Texas Open Meetings Act.*

---

**From:** Dee Averitt <[daveritt@hotmail.com](mailto:daveritt@hotmail.com)>  
**Sent:** Monday, August 16, 2021 6:14 PM  
**To:** Steve Killen <[SKillen@stephenvilletx.gov](mailto:SKillen@stephenvilletx.gov)>  
**Subject:** Planning and Zoning: Applicants Reese Flanagan/ Troy Kunkel

Attention: Steve Killen

Please find attached the following questions and concerns preceding the scheduled rezoning meeting on August 18, 2021.

The letter from your office has indicated the applicant(s) will present a "conceptual plan" at this meeting. We will address any additional concerns after this presentation.

Please confirm your personal receipt of this email prior to the meeting and before 3:00pm CST on August 18, 2021.

We reserve the opportunity to address other objections to this project in person at this scheduled meeting.

Thank you in advance for your consideration.

Questions and concerns.

1. What is the potential for these new developments to become **Section 8/government** subsidized housing?
2. Will these zoning changes include permits for multilevel apartments over 2 stories?
3. What limitations are there for multiple story townhomes?
4. Can you provide a copy of the developer's permits?
5. Will the developer be providing a stormwater pollution plan and associated best practices?
6. What will the exact hours for demolition and construction for this and neighboring projects?
7. Who do we contact if we have concerns during construction?
8. Will the developer have a publicly available health and safety plan that addresses noise abatement, dust control, airborne asbestos and other particulates etc?
9. What are the dimensions, sizes and fencing products to be built on adjacent property
10. (811 West Washington)?
11. Are the proposed townhomes for sale or lease?
12. Will there be a property management company for leasing and tenant responses?
13. Will there be a traffic survey conducted on Washington street?
14. Will roads be expanded to accommodate increases?
15. Does this rezoning allow for retail strip mall shops to be constructed instead of townhomes?
16. Where will the access roadway be for townhome tenants? From Washington street?
17. Will townhome construction include garages? carports? (for tenants.)
18. Will townhome facilities include a pool, hot tub, volleyball, or basketball courts?
19. Will the proposed townhomes include any common area gyms, meeting spaces or community centers?

Dee Averitt  
Chief Operating Officer  
**Designing Consulting**  
214.212.4595



August 17, 2021

Steve Killen  
Director of Development Services  
City of Stephenville  
298 West Washington Street  
Stephenville, Texas 76401

RE: Stephenville Planning and Zoning Commission Request

Dear Mr. Killen:

On behalf of Stephenville Mobile Home Park, I am well acquainted with the needs and demands of the Stephenville Planning and Zoning Commission in my community. I send this letter to voice my concerns regarding the pending request by Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, to rezone property located at 817 West Washington, Parcel R29583, of CITY ADDITION, BLOCK 62, LOTS 6A;7;14;17; (PT, OF 14), of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. For the following reasons I would urge you to oppose the request:

**CITIZEN SAFETY AND TRAFFIC.** The safety of pedestrians and traffic are major concerns for the area where my property is located. School traffic congestion already spans along West Washington Street as Central Elementary School is located directly across from the property. Furthermore, commuters to downtown and Tarleton State University must travel on Washington Street as well. With West Washington Street being the main route to key locations in town, the local neighborhood traffic will disproportionately surge during morning and evening rush-hour traffic. The surge in traffic also negatively impacts school children that walk to and from Central Elementary School. Schools and downtown businesses in the area already cause major traffic congestion, and the Commission should not approve the rezoning request that will cause the school concurrency to fail with the anticipated rezoning plans.

**PROPERTY ACCESS.** My property shares a 30 foot easement with the properties directly in front of it. With new development in front of my property, the easement will no longer exist. The easement is the only way to access my property meaning my tenants, law enforcement, and medical personnel will no longer have a safe, accessible way to enter into my property. The main water line to my property is also located under the easement. Since the water line has a past record of malfunctioning and needing major repairs, the development of any housing or buildings will come with the risk of future water line breaks and repairs that affect my property.

**URBANIZATION.** The Commission should take into consideration the small-town culture the city of Stephenville embraces. With more urbanization projects, Stephenville will turn into a metropolitan area and lose the values that Stephenville citizens appreciate. Additionally, property values are more likely to decrease in the area if condominiums or apartments are

constructed. These types of housing are inconsistent with the surrounding neighborhoods developed in the area.

I urge you to oppose the anticipated rezoning plans, and from the recent meetings with surrounding neighbors, I am confident my concerns are shared by numerous citizens who have not managed to write letters or attend meetings to voice concerns.

Thank you for your continued service and support of our communities.

Sincerely,

A handwritten signature in black ink that reads "Jana Saucedo". The signature is written in a cursive, flowing style.

Jana L. Saucedo, BSN, RN  
Owner of Stephenville Mobile Home Park  
P.O. BOX 1737  
Stephenville, Texas 76401



# STAFF REPORT

**SUBJECT:** Case No.: PD2021-004

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 855 & 865 W Washington, Parcel R29581, of CITY ADDITION, BLOCK 62, LOTS 4;5;6B; (PT, OF 5), of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

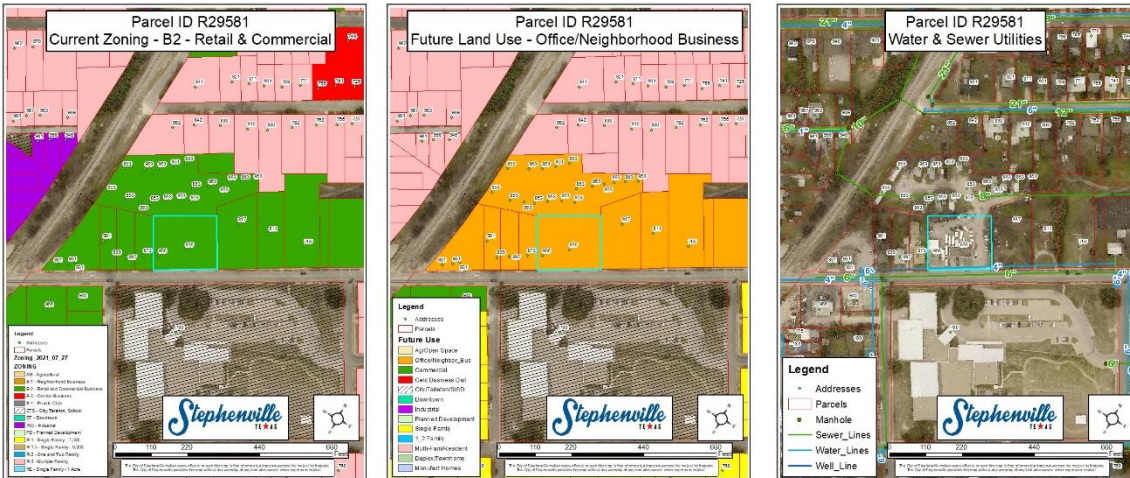
**RECOMMENDATION:**

To evaluate the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

**BACKGROUND:**

**APPLICANT REQUEST:**

The intended project for the requested zoning is for the construction of a townhome development. The concept plan proposed 23 units on 0.94 acres (density of 24.47 units per acre) with 51 parking spaces (exceeding the two spaces per unit requirement).



**DESCRIPTION OF REQUESTED ZONING**

**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 or 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 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 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) No formal action to be taken at this time.



**ZONING AMENDMENT APPLICATION**

**CITY OF STEPHENVILLE**

1. **APPLICANT/OWNER:** Troy Kunkel  
First Name Last Name

**ADDRESS:** of 598 Westwood, LLC  
PO Box 12324  
Street/P.O. Box Phone No.  
Fort Worth TX 76110  
City State Zip Code

2. **PROPERTY DESCRIPTION:** R29583 817 W Washington Street  
Street Address

3. **LEGAL DESCRIPTION:** 6A; 7; 14; 17; (PT. OF 14) 62 CITY ADDITION  
Lot(s) Block(s) Addition

4. **PRESENT ZONING:** B-2 Secondary and Highway Business  
Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
The applicant is requesting a zoning change to propose a  
townhouse development. See attached concept plan.

(Attach an additional sheet if necessary)

Signature of Applicant

July 23, 2021  
 Date

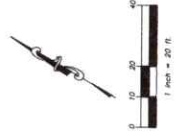
Signature of City Official Received

7/23/21  
 Date Received

**EXHIBIT A**



| LIMIT TABLE    |          | # BLDGS |    | LIMITS |  |
|----------------|----------|---------|----|--------|--|
| 5 UNIT         | 0        | 0       | 0  |        |  |
| 4 UNIT         | 5        | 5       | 20 |        |  |
| 3 UNIT         | 5        | 5       | 20 |        |  |
| TOTAL          |          |         |    |        |  |
| TH AC          |          | 0.94    | 28 |        |  |
| DENSITY        |          | 29.67   |    |        |  |
| PARKING TABLE  |          | # BLDGS |    | LIMITS |  |
| BLDG           | PROVIDED | S1      | S1 |        |  |
| TOTAL PROVIDED |          | S1      | S1 |        |  |

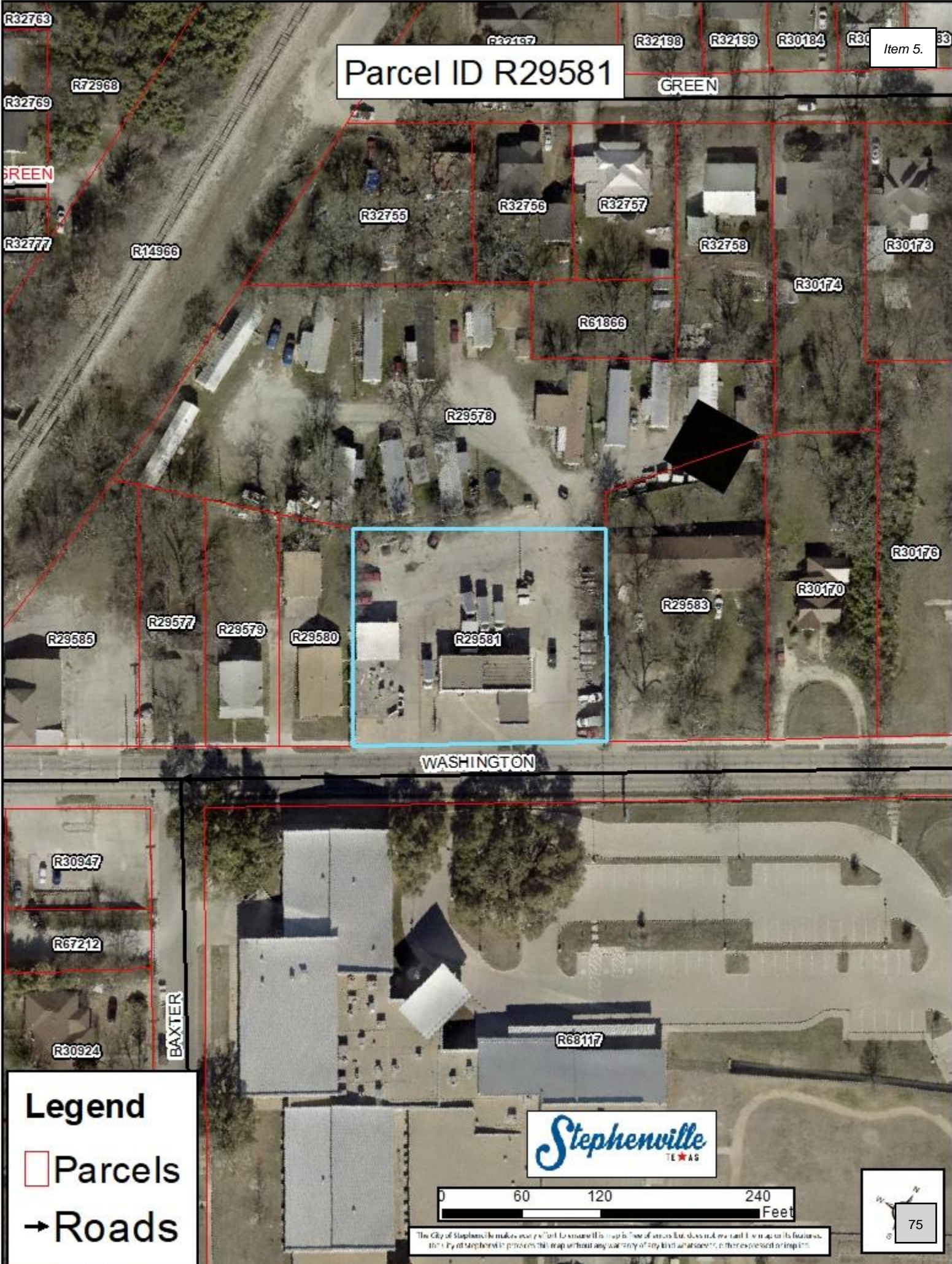


CONCEPT SITE PLAN 01  
855 WASHINGTON  
STEPHENVILLE, TX

**mlma**  
 Multi-Media Land Management Associates, Inc.  
 10000 North Loop West, Suite 1000  
 Houston, Texas 77037  
 Tel: 281-485-1171  
 Fax: 281-485-1172  
 www.mlma.com

06/21/2021 SHEET 1 OF 1

Item 5.



Parcel ID R29581

Item 5.

GREEN

GREEN

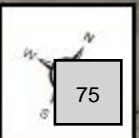
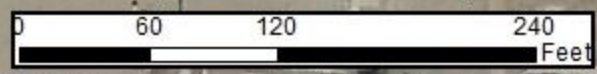
WASHINGTON

BAXTER

Legend

Parcels

Roads



The City of Stephenville makes every effort to ensure this map is true of areas but does not warrant it as part of its business. The City of Stephenville provides this map without any warranty of any kind whatsoever, either expressed or implied.

# Parcel ID R29581 200 Ft. Buffer

Item 5.



## Legend

- ◆ Addresses
- R29581 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 ID R29581

## Current Zoning - B2 - Retail & Commercial

Item 5.



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### Legend

- ◆ Addresses
  - Parcels
- Zoning\_2021\_07\_27**
- 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-3 - Multiple Family
  - RE - Single Family - 1 Acre

Parcel ID R29581

Item 5.

# Future Land Use - Office/Neighborhood Business

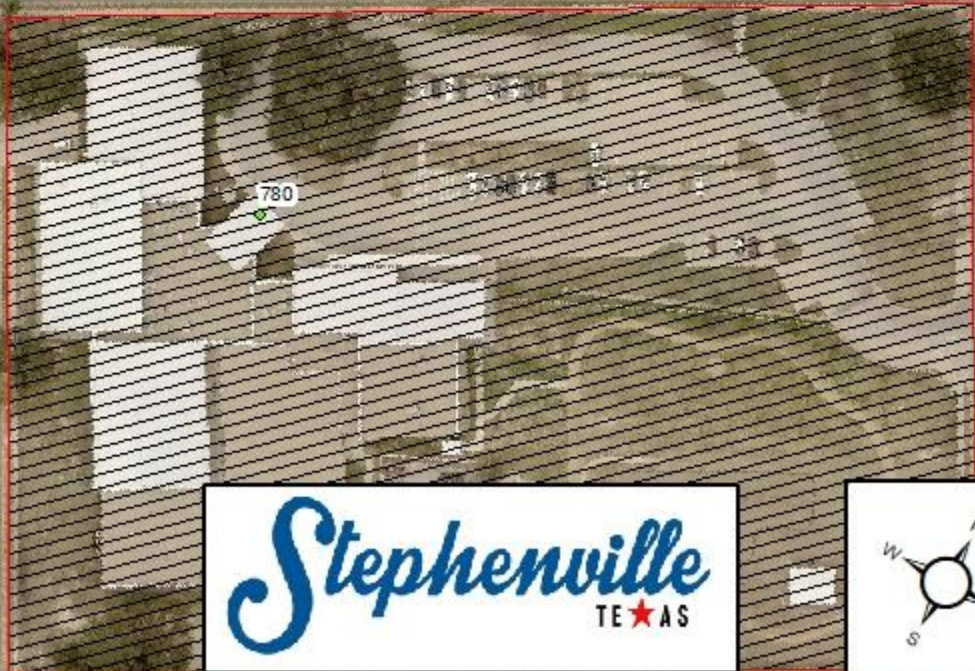


**Legend**

- ◆ Addresses
- ▭ Parcels

**Future Use**

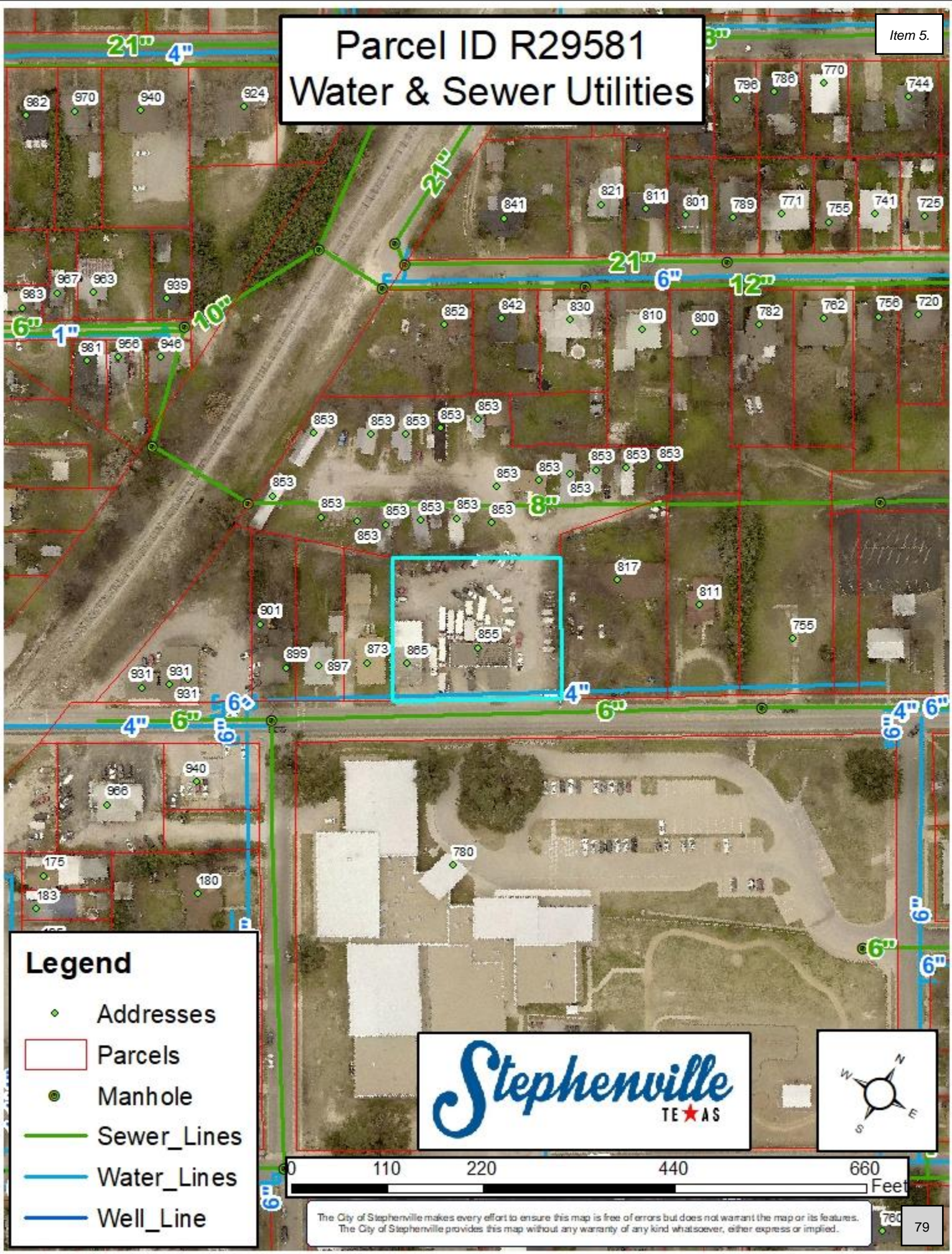
- Ag/Open Space
- Office/Neighbor\_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1\_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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 ID R29581 Water & Sewer Utilities

Item 5.



## Legend

- ◆ Addresses
- ▭ Parcels
- Manhole
- Sewer\_Lines
- Water\_Lines
- Well\_Line



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 R29581 Addresses

| Parcel ID  | Parcel Address           | Parcel Owner                             | Owner Address               | City          | State | Zip Code   |
|------------|--------------------------|------------------------------------------|-----------------------------|---------------|-------|------------|
| R000067212 | 0 BAXTER AVE             | MASCORRO VENIGNO                         | 1090 NORTH RACE             | STEPHENVILLE  | TX    | 76401      |
| R000061866 | 0 GREEN                  | AGUILAR JORGE & VERONICA                 | 830 GREEN                   | STEPHENVILLE  | TX    | 76401      |
| R000030947 | 940 W WASHINGTON         | MASCORRO VENIGNO                         | 1090 NORTH RACE             | STEPHENVILLE  | TX    | 76401      |
| R000032756 | 842 GREEN                | CHILDRESS REVOCABLE TRUST & MARENDA LONG | 1132 ELK RIDGE DR           | STEPHENVILLE  | TX    | 76401-6061 |
| R000032757 | 830 GREEN                | AGUILAR JORGE & VERONICA                 | 830 GREEN                   | STEPHENVILLE  | TX    | 76401      |
| R000029580 | 873 W WASHINGTON         | 598 WESTWOOD LLC                         | PO BOX 12324                | FORT WORTH    | TX    | 76110      |
| R000029579 | 897 W WASHINGTON         | SATTERFIELD GEORGE SAMUEL III            | 897 W WASHINGTON            | STEPHENVILLE  | TX    | 76401      |
| R000032755 | 852 W GREEN              | SECHRIST JERRY L & SHIRLEY               | 852 W GREEN                 | STEPHENVILLE  | TX    | 76401      |
| R000029581 | 855 W WASHINGTON         | 598 WESTWOOD LLC                         | PO BOX 12324                | FORT WORTH    | TX    | 76110      |
| R000030170 | 811 W WASHINGTON         | AVERITT SOLO 401K TRUST                  | 4445 NEWPORT ST             | GRAND PRAIRIE | TX    | 75052      |
| R000029585 | 931 W WASHINGTON         | SONNAMAKER WESLEY W                      | PO BOX 123947               | FORT WORTH    | TX    | 76121      |
| R000032758 | 810 W GREEN              | SCHULMEYER PETER                         | 810 WEST GREEN STREET       | STEPHENVILLE  | TX    | 76401      |
| R000029577 | 899 W WASHINGTON         | SONNAMAKER WESLEY W                      | PO BOX 123947               | FORT WORTH    | TX    | 76121      |
| R000029578 | 853 W WASHINGTON         | SAUCEDO CESAR & JANA                     | PO BOX 1737                 | STEPHENVILLE  | TX    | 76401-0017 |
| R000068117 | 780 W WASHINGTON         | STEPHENVILLE ISD                         | 2655 W OVERHILL DR          | STEPHENVILLE  | TX    | 76401-0000 |
| R000030174 | 800 W GREEN              | SCOOMAKER JOHN G                         | 816 HYATT DR                | COPPER CANYON | TX    | 75077      |
| R000014966 | 0 N PADDOCK & VANDERBILT | FORT WORTH & WESTERN RAILROAD            | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH    | TX    | 76116-5738 |
| R000029583 | 817 W WASHINGTON         | 598 WESTWOOD LLC                         | PO BOX 12324                | FORT WORTH    | TX    | 76110      |



**ZONING AMENDMENT APPLICATION**

**CITY OF STEPHENVILLE**

1. **APPLICANT/OWNER:** Troy Kunkel  
 First Name Last Name

**ADDRESS:** \_\_\_\_\_  
 Street/P.O. Box Phone No.  
 \_\_\_\_\_  
 City State Zip Code

2. **PROPERTY DESCRIPTION:** 873, 865, 855, 817 W Washington Street  
 Street Address

3. **LEGAL DESCRIPTION:** 3,4,5,6-B & 6-A 62  
 Lot(s) Block(s) Addition

4. **PRESENT ZONING:** B-2 Secondary and Highway Business  
 Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
 Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
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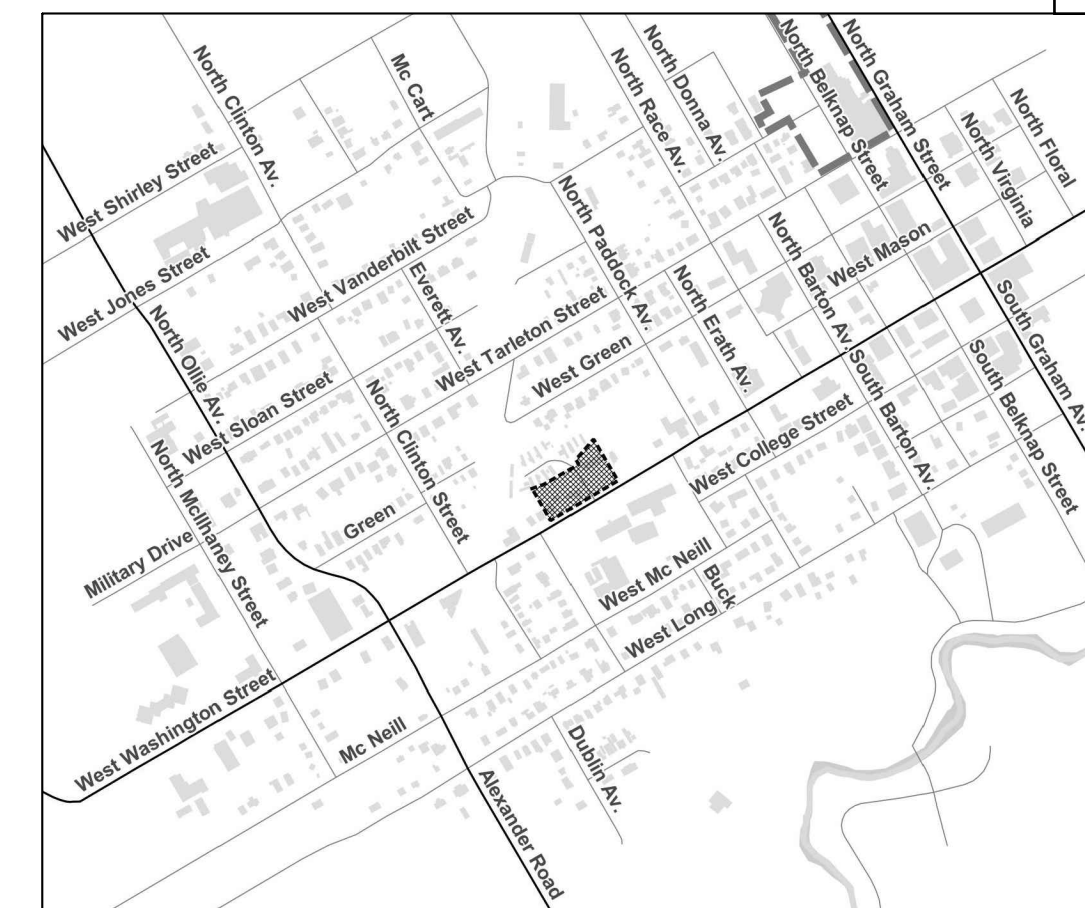
(Attach an additional sheet if necessary)

  
 Signature of Applicant

July 23, 2021  
 Date

\_\_\_\_\_  
 Signature of City Official Received

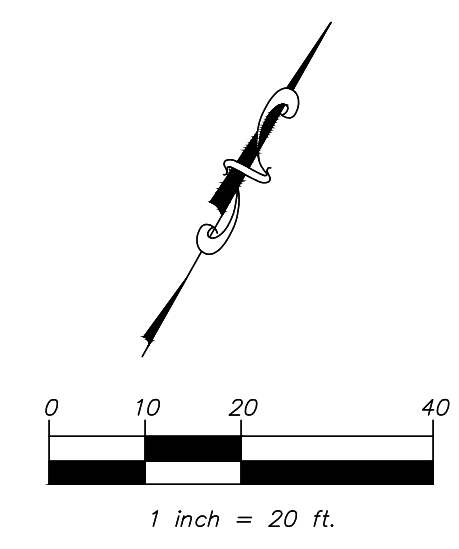
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 Date Received



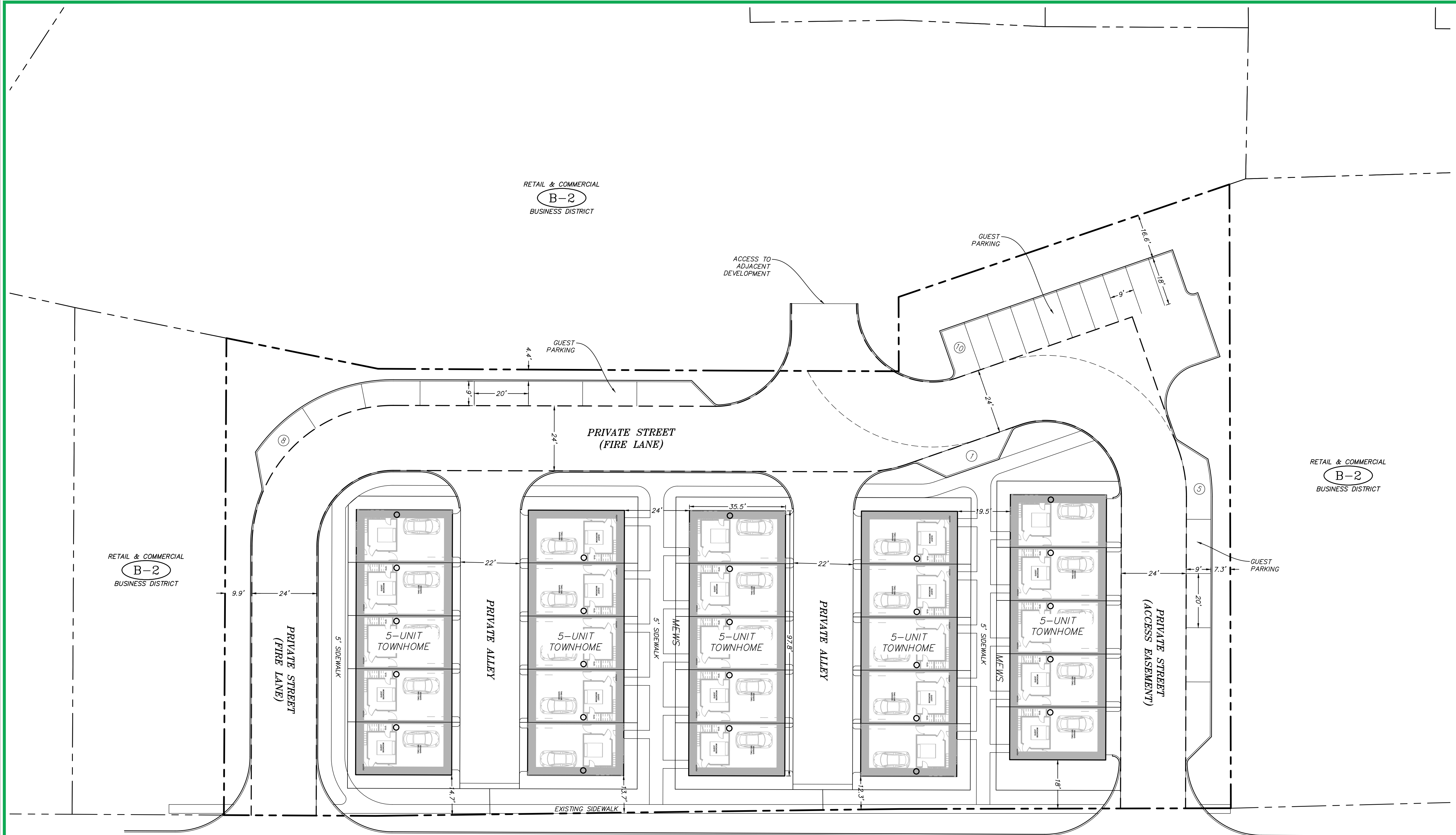
VICINITY MAP

| DEVELOPMENT STANDARDS              | TH LOTS  |
|------------------------------------|----------|
| MINIMUM FLOOR AREA (SF)            | 1,500 SF |
| MINIMUM LOT AREA (SF)              | 800 SF   |
| MINIMUM LOT WIDTH                  | 20'      |
| MINIMUM LOT DEPTH                  | 40'      |
| MINIMUM FRONT SETBACK              | 3'       |
| MINIMUM REAR SETBACK               | 3'       |
| MINIMUM INTERIOR SIDE YARD SETBACK | 0'       |
| MINIMUM EXTERIOR SIDE YARD SETBACK | 5'       |

| LAND USE SUMMARY TABLE |    |
|------------------------|----|
| LOT TYPE               | #  |
| TOWNHOME LOT           | 25 |
| PRIVATE ACCESS LOT     | 1  |
| OPEN SPACE LOT         | 4  |



**SITE PLAN**  
855 WASHINGTON - TOWNHOMES  
STEPHENVILLE, TX



CITY, TARLETON  
**CTS**  
SCHOOL

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

**mima**  
civil engineering surveying landscape architecture planning  
tbpels registration number: 1 - 2759  
tbpels registration/license number: 10088000  
519 east border  
arlington, texas 76010  
817-469-1671  
fax: 817-274-8757  
www.mmatexas.com

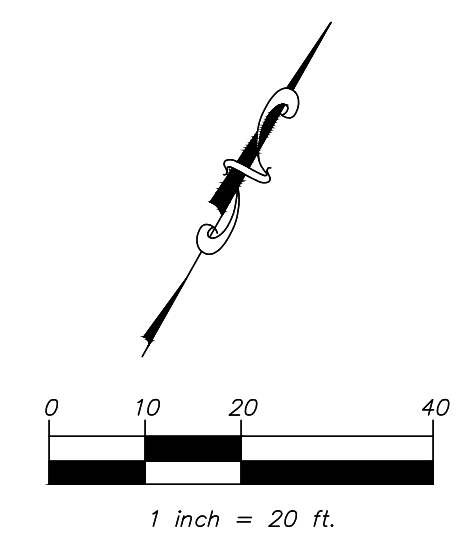
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VICINITY MAP

| DEVELOPMENT STANDARDS              | TH LOTS  |
|------------------------------------|----------|
| MINIMUM FLOOR AREA (SF)            | 1,500 SF |
| MINIMUM LOT AREA (SF)              | 800 SF   |
| MINIMUM LOT WIDTH                  | 20'      |
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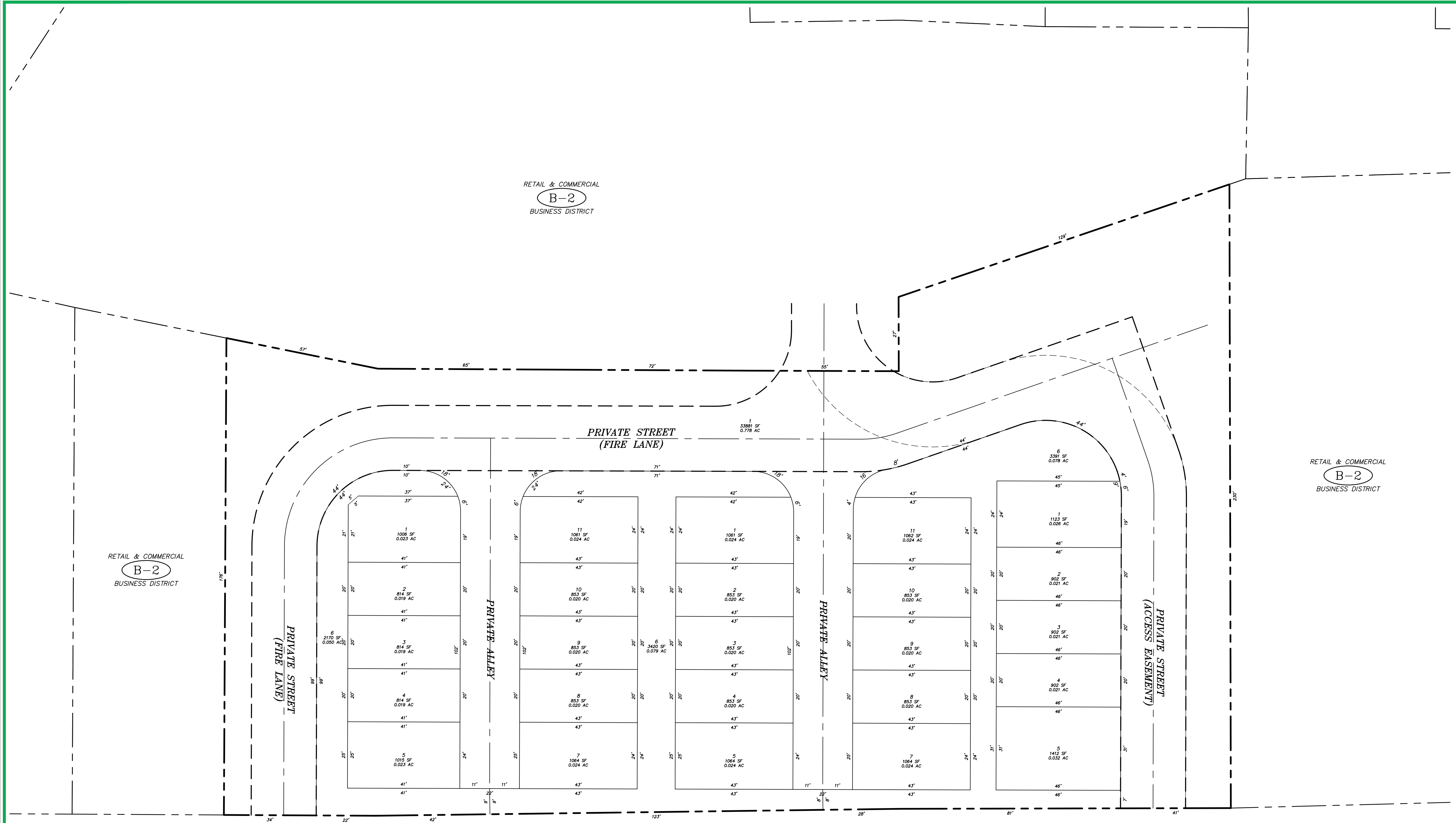
**LAND PLAN**  
855 WASHINGTON - TOWNHOMES  
STEPHENVILLE, TX

CITY, TARLETON  
**CTS**  
SCHOOL

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

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BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT



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# STAFF REPORT

**SUBJECT:** Case No.: PD2021-005

Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 873 W Washington, Parcel R29580, of CITY ADDITION, BLOCK 62, LOT 3, of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

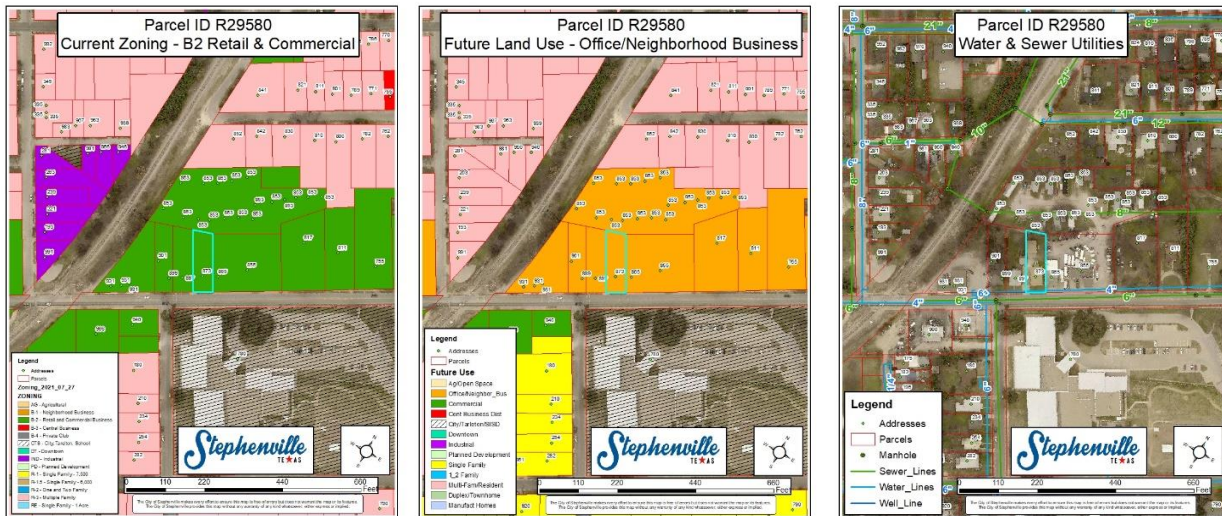
## RECOMMENDATION:

To evaluate the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

## BACKGROUND:

### APPLICANT REQUEST:

The intended project for the requested zoning is for the construction of a townhome development. The concept plan proposed 23 units on 0.94 acres (density of 24.47 units per acre) with 51 parking spaces (exceeding the two spaces per unit requirement).



## DESCRIPTION OF REQUESTED ZONING

### 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 or 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 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 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) No formal action to be taken at this time.

### ZONING AMENDMENT APPLICATION

#### CITY OF STEPHENVILLE

1. **APPLICANT/OWNER:** Troy Kunkel  
First Name Last Name

**ADDRESS:** 598 Westwood, LLC PO Box 12324  
Street/P.O. Box Phone No.  
Fort Worth TX 76110  
City State Zip Code

2. **PROPERTY DESCRIPTION:** B29580 873' W Washington Street  
Street Address

3. **LEGAL DESCRIPTION:** 3 62 CITY ADDITION  
Lot(s) Block(s) Addition

4. **PRESENT ZONING:** B-2 Secondary and Highway Business  
Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
The applicant is requesting a zoning change to propose a  
townhouse development. See attached concept plan.

(Attach an additional sheet if necessary)

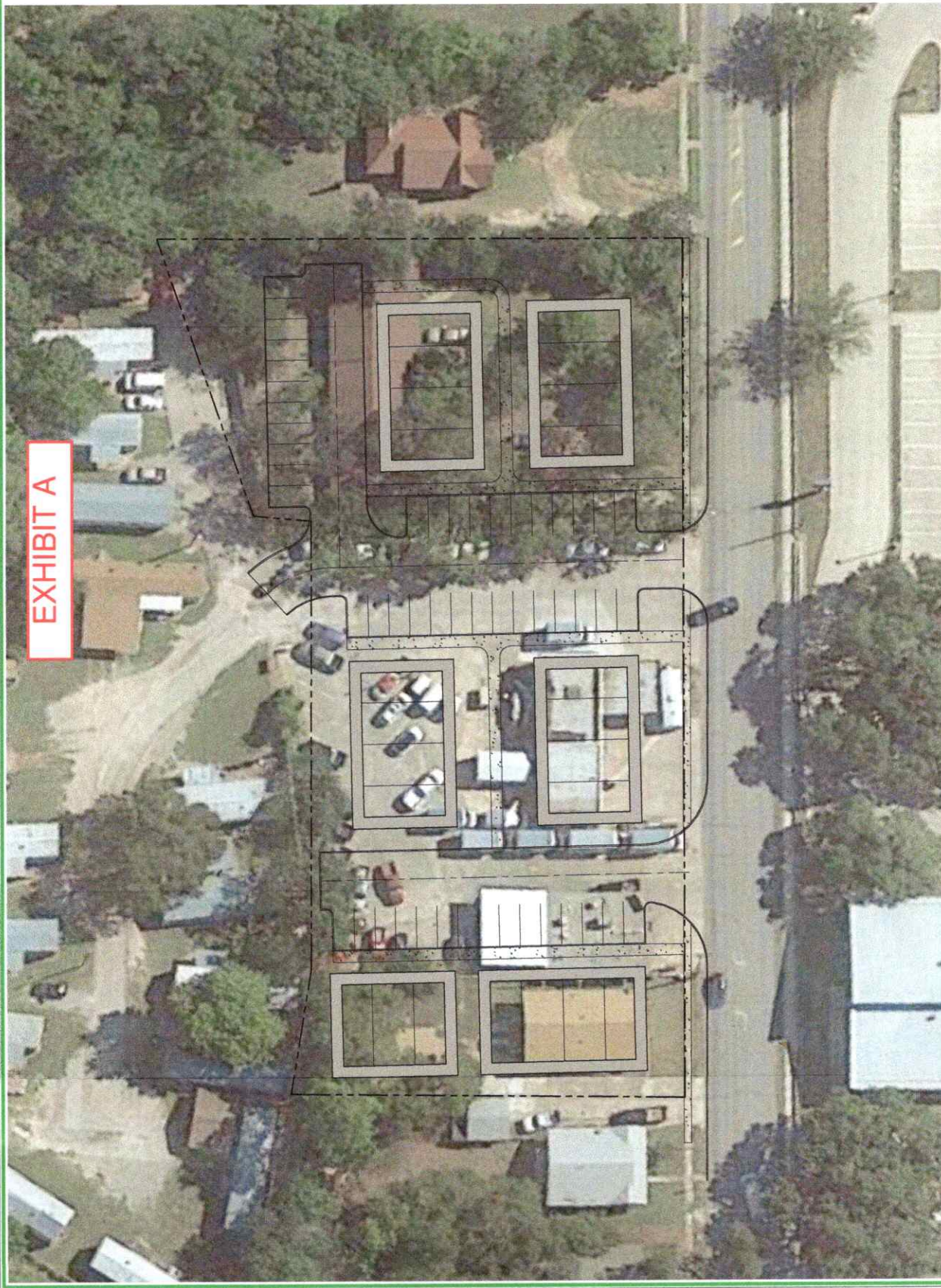
[Signature]  
Signature of Applicant

July 23, 2021  
Date

[Signature]  
Signature of City Official Received

7/23/21  
Date Received

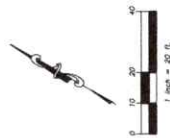
**EXHIBIT A**



| UNIT TABLE |         |       |
|------------|---------|-------|
| TYPE       | # BLDGS | UNITS |
| 0 UNIT     | 0       | 0     |
| 4 UNIT     | 5       | 20    |
| 3 UNIT     | 1       | 3     |
| TOTAL      |         | 23    |
| SPACE      | 0.8M    |       |
| UNITS      |         | 23.0  |

| PARKING TABLE |          |    |
|---------------|----------|----|
| REQUIRED      | PROVIDED | SI |
|               |          | 51 |
|               |          | 51 |

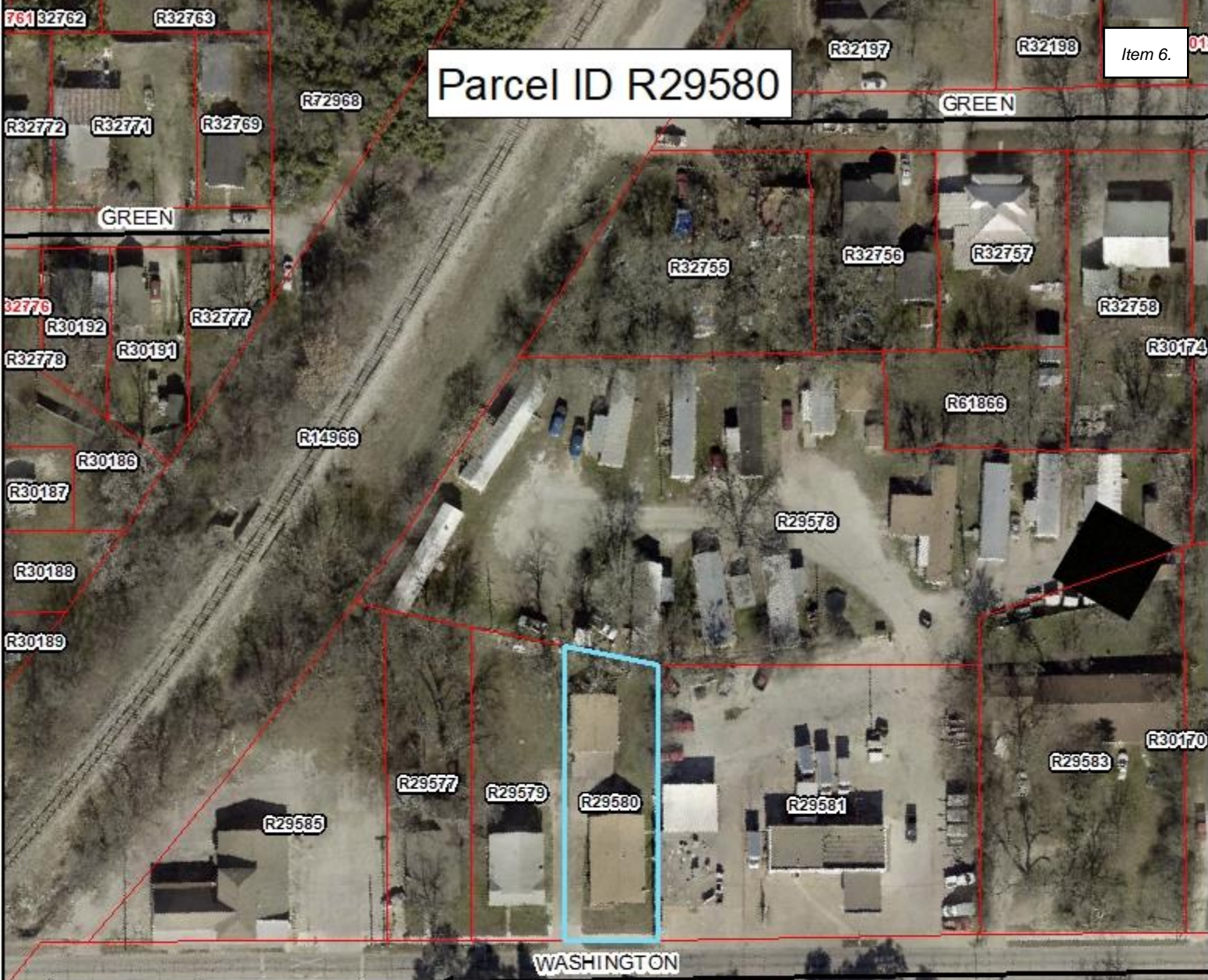


CONCEPT SITE PLAN 01  
 855 WASHINGTON  
 STEPHENVILLE, TX

**mima**  
 Multi-Media Information Management  
 11111 Westpark Drive, Suite 100  
 Dallas, TX 75244  
 Tel: 972-274-8333  
 Fax: 972-274-8333  
 www.mimainc.com

06/27/2021 SHEET 1 OF 1

Item 6.



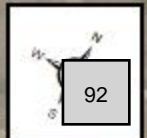
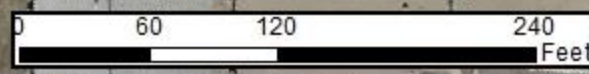
Parcel ID R29580

Item 6. 01



**Legend**

- Parcels
- Roads



The City of Stephenville makes every effort to ensure this map is true of areas but does not warrant it or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either expressed or implied.

# Parcel ID R29580 200 Ft. Buffer



**Legend**

- ◆ Addresses
- R29580 Buffer
- Parcels

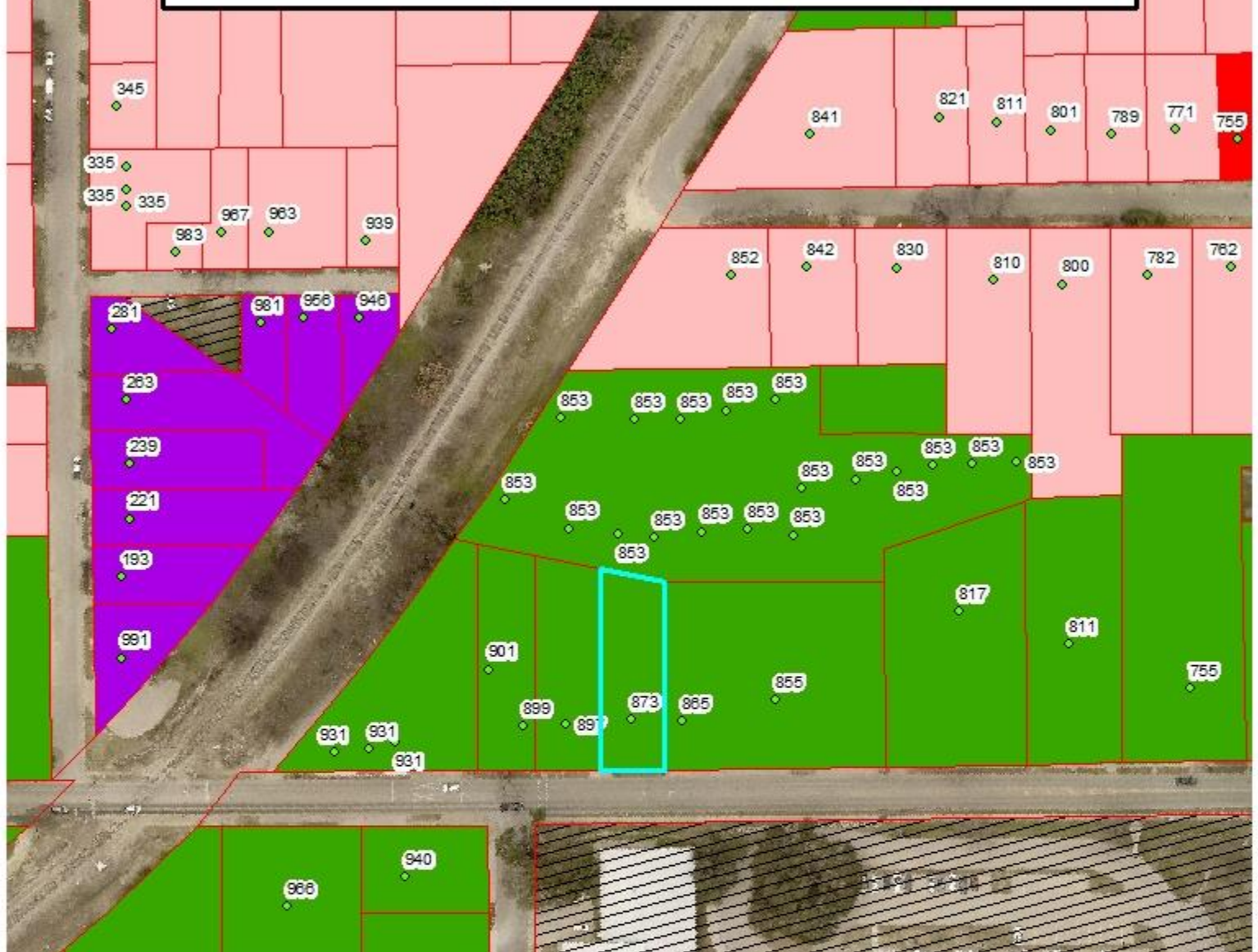


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# Parcel ID R29580

## Current Zoning - B2 Retail & Commercial

Item 6.



### Legend

- ◆ Addresses
  - Parcels
- Zoning\_2021\_07\_27**
- 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 - Down town
  - IND - Industrial
  - PD - Planned De velopment
  - R-1 - Single Family- 7,500
  - R-1.5 - Single Family - 6,000
  - R-2 - One and Two Family
  - R-3 - Multiple Family
  - RE - Single Family - 1 Acre



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# Parcel ID R29580

Item 6.

## Future Land Use - Office/Neighborhood Business



**Legend**

- ◆ Addresses
- 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

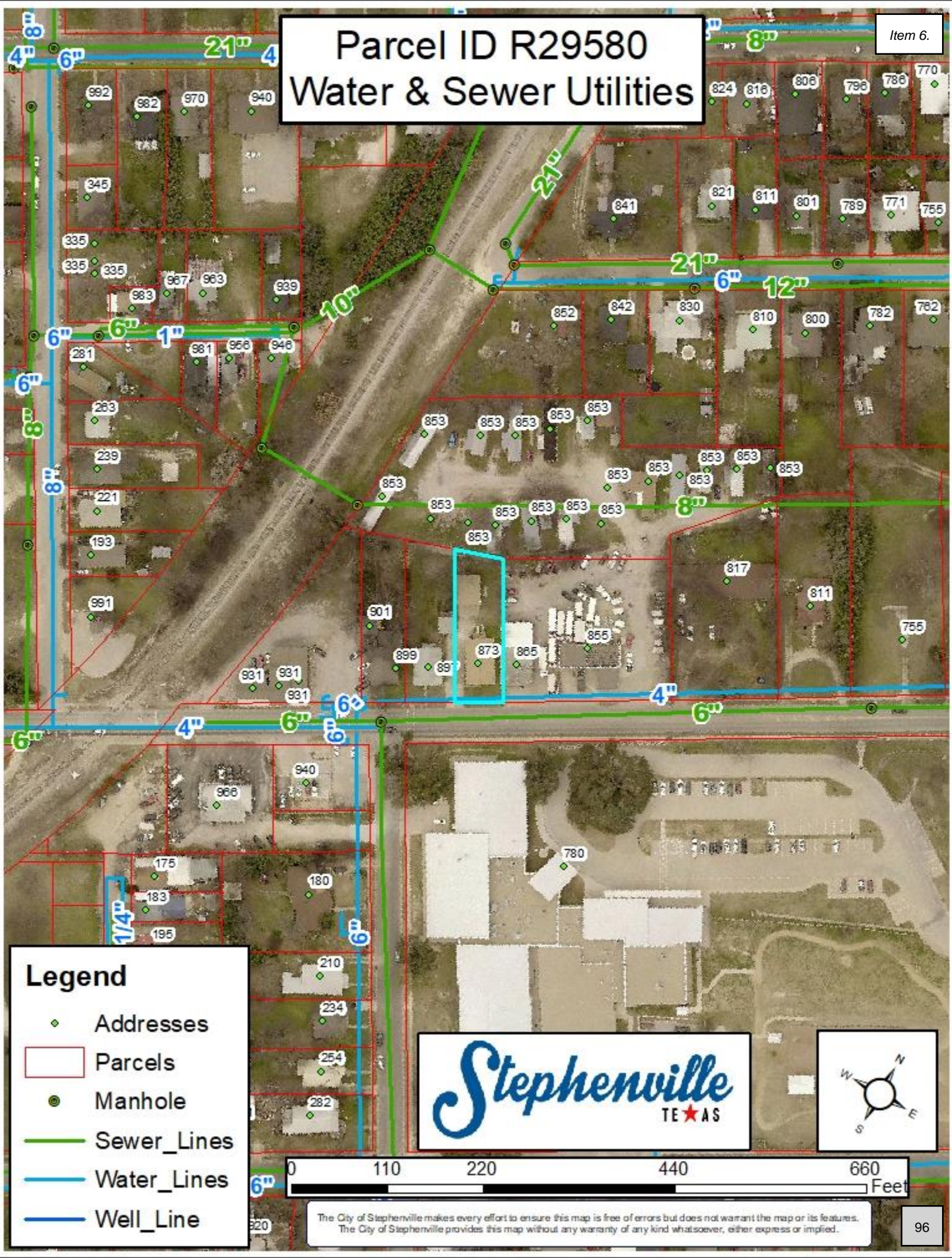
780

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95

# Parcel ID R29580 Water & Sewer Utilities

Item 6.



**Legend**

- ◆ Addresses
- ▭ Parcels
- Manhole
- Sewer\_Lines
- Water\_Lines
- Well\_Line



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## Parcel R29580 Addresses

| Parcel ID  | Parcel Address           | Parcel Owner                  | Owner Address               | City         | State | Zip Code   |
|------------|--------------------------|-------------------------------|-----------------------------|--------------|-------|------------|
| R000029580 | 873 W WASHINGTON         | 598 WESTWOOD LLC              | PO BOX 12324                | FORT WORTH   | TX    | 76110      |
| R000029581 | 855 W WASHINGTON         | 598 WESTWOOD LLC              | PO BOX 12324                | FORT WORTH   | TX    | 76110      |
| R000029583 | 817 W WASHINGTON         | 598 WESTWOOD LLC              | PO BOX 12324                | FORT WORTH   | TX    | 76110      |
| R000061866 | 0 GREEN                  | AGUILAR JORGE & VERONICA      | 830 GREEN                   | STEPHENVILLE | TX    | 76401      |
| R000014966 | 0 N PADDOCK & VANDERBILT | FORT WORTH & WESTERN RAILROAD | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH   | TX    | 76116-5738 |
| R000030924 | 180 BAXTER               | GARNER MARK E & CAROLYN F     | 180 S BAXTER ST             | STEPHENVILLE | TX    | 76401-4804 |
| R000067212 | 0 BAXTER AVE             | MASCORRO VENIGNO              | 1090 NORTH RACE             | STEPHENVILLE | TX    | 76401      |
| R000030947 | 940 W WASHINGTON         | MASCORRO VENIGNO              | 1090 NORTH RACE             | STEPHENVILLE | TX    | 76401      |
| R000029579 | 897 W WASHINGTON         | SATTERFIELD GEORGE SAMUEL III | 897 W WASHINGTON            | STEPHENVILLE | TX    | 76401      |
| R000029578 | 853 W WASHINGTON         | SAUCEDO CESAR & JANA          | PO BOX 1737                 | STEPHENVILLE | TX    | 76401-0017 |
| R000032755 | 852 W GREEN              | SECHRIST JERRY L & SHIRLEY    | 852 W GREEN                 | STEPHENVILLE | TX    | 76401      |
| R000029585 | 931 W WASHINGTON         | SONNAMAKER WESLEY W           | PO BOX 123947               | FORT WORTH   | TX    | 76121      |
| R000029577 | 899 W WASHINGTON         | SONNAMAKER WESLEY W           | PO BOX 123947               | FORT WORTH   | TX    | 76121      |
| R000068117 | 780 W WASHINGTON         | STEPHENVILLE ISD              | 2655 W OVERHILL DR          | STEPHENVILLE | TX    | 76401-0000 |

**ZONING AMENDMENT APPLICATION**

**CITY OF STEPHENVILLE**

1. **APPLICANT/OWNER:** Troy Kunkel  
 First Name Last Name

**ADDRESS:** \_\_\_\_\_  
 Street/P.O. Box Phone No.  
 \_\_\_\_\_  
 City State Zip Code

2. **PROPERTY DESCRIPTION:** 873, 865, 855, 817 W Washington Street  
 Street Address

3. **LEGAL DESCRIPTION:** 3,4,5,6-B & 6-A 62  
 Lot(s) Block(s) Addition

4. **PRESENT ZONING:** B-2 Secondary and Highway Business  
 Zoning District Title

**PROPOSED ZONING:** PD (Townhouse Land Use)  
 Zoning District Title

5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
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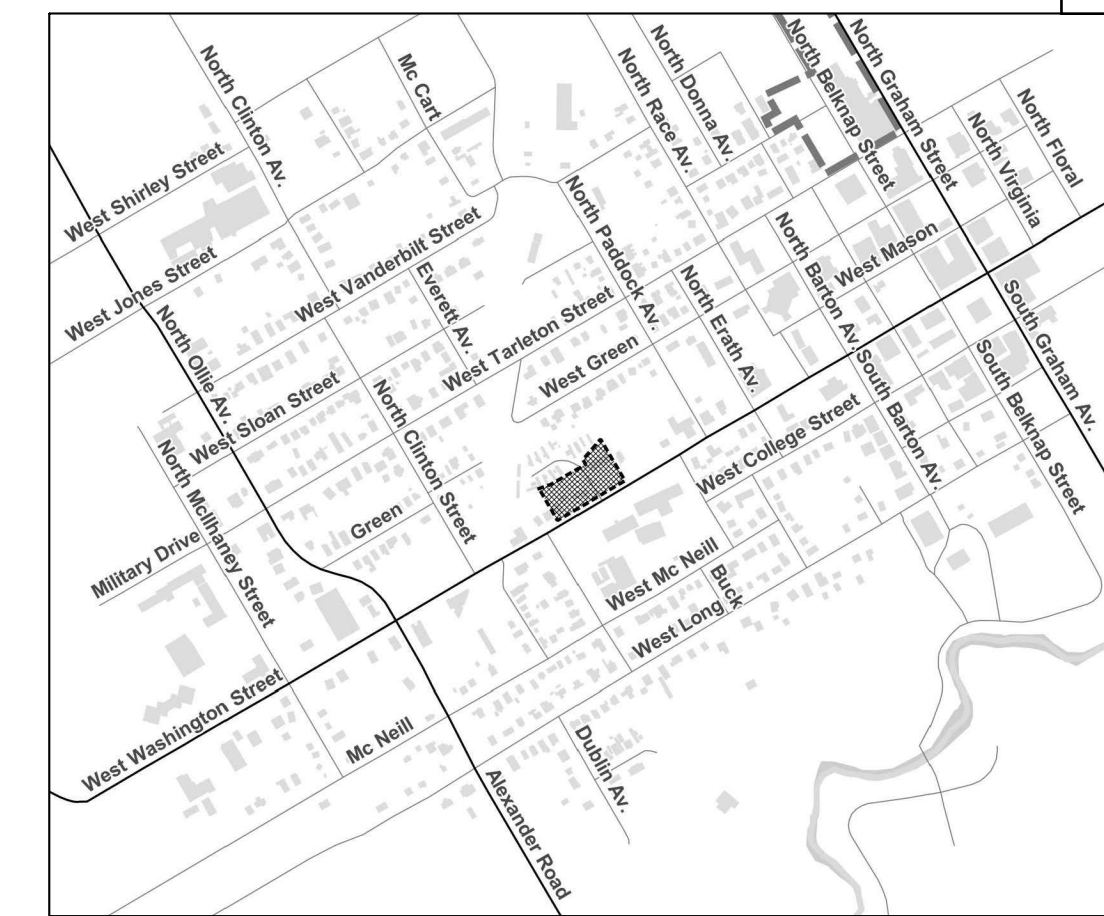
(Attach an additional sheet if necessary)

  
 Signature of Applicant

July 23, 2021  
 Date

\_\_\_\_\_  
 Signature of City Official Received

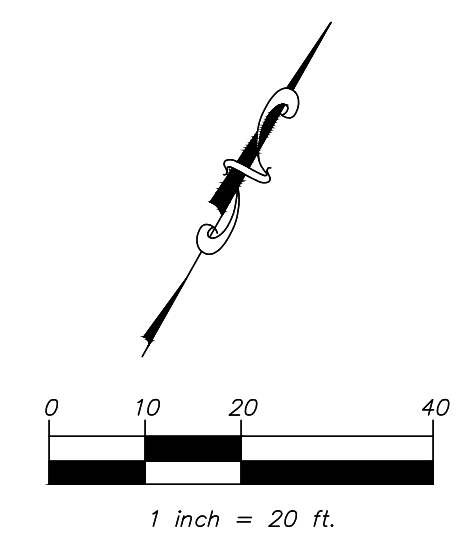
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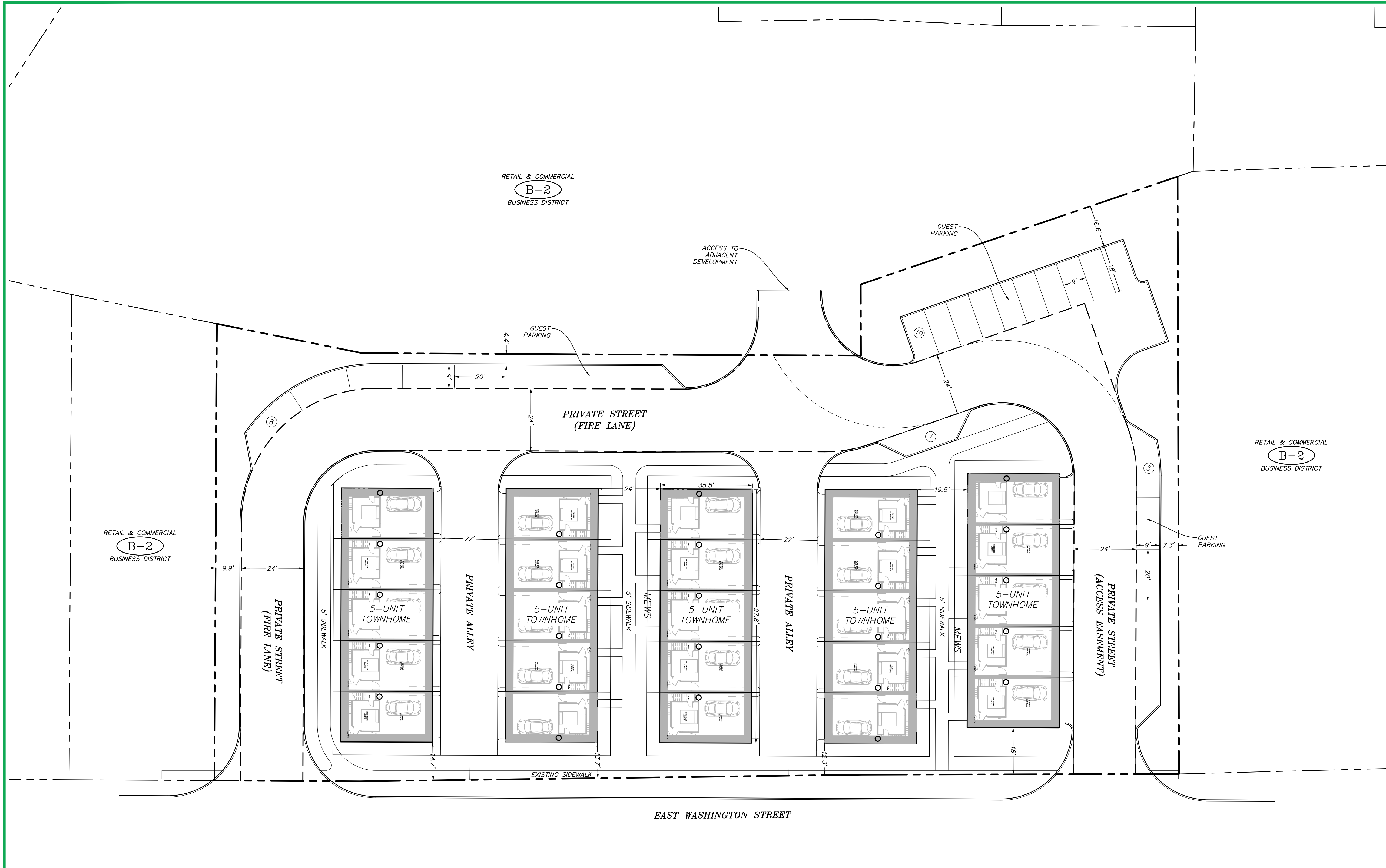
VICINITY MAP

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**SITE PLAN**  
 855 WASHINGTON - TOWNHOMES  
 STEPHENVILLE, TX



CITY, TARLETON  
**CTS**  
 SCHOOL

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 www.mimatexas.com

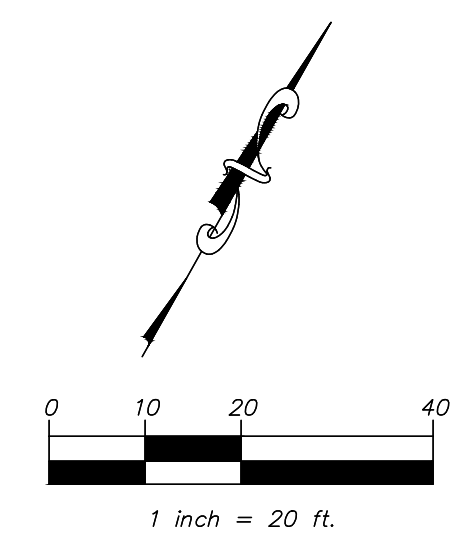
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VICINITY MAP

| DEVELOPMENT STANDARDS              | TH LOTS  |
|------------------------------------|----------|
| MINIMUM FLOOR AREA (SF)            | 1,500 SF |
| MINIMUM LOT AREA (SF)              | 800 SF   |
| MINIMUM LOT WIDTH                  | 20'      |
| MINIMUM LOT DEPTH                  | 40'      |
| MINIMUM FRONT SETBACK              | 3'       |
| MINIMUM REAR SETBACK               | 3'       |
| MINIMUM INTERIOR SIDE YARD SETBACK | 0'       |
| MINIMUM EXTERIOR SIDE YARD SETBACK | 5'       |

| LAND USE SUMMARY TABLE |    |
|------------------------|----|
| LOT TYPE               | #  |
| TOWNHOME LOT           | 25 |
| PRIVATE ACCESS LOT     | 1  |
| OPEN SPACE LOT         | 4  |



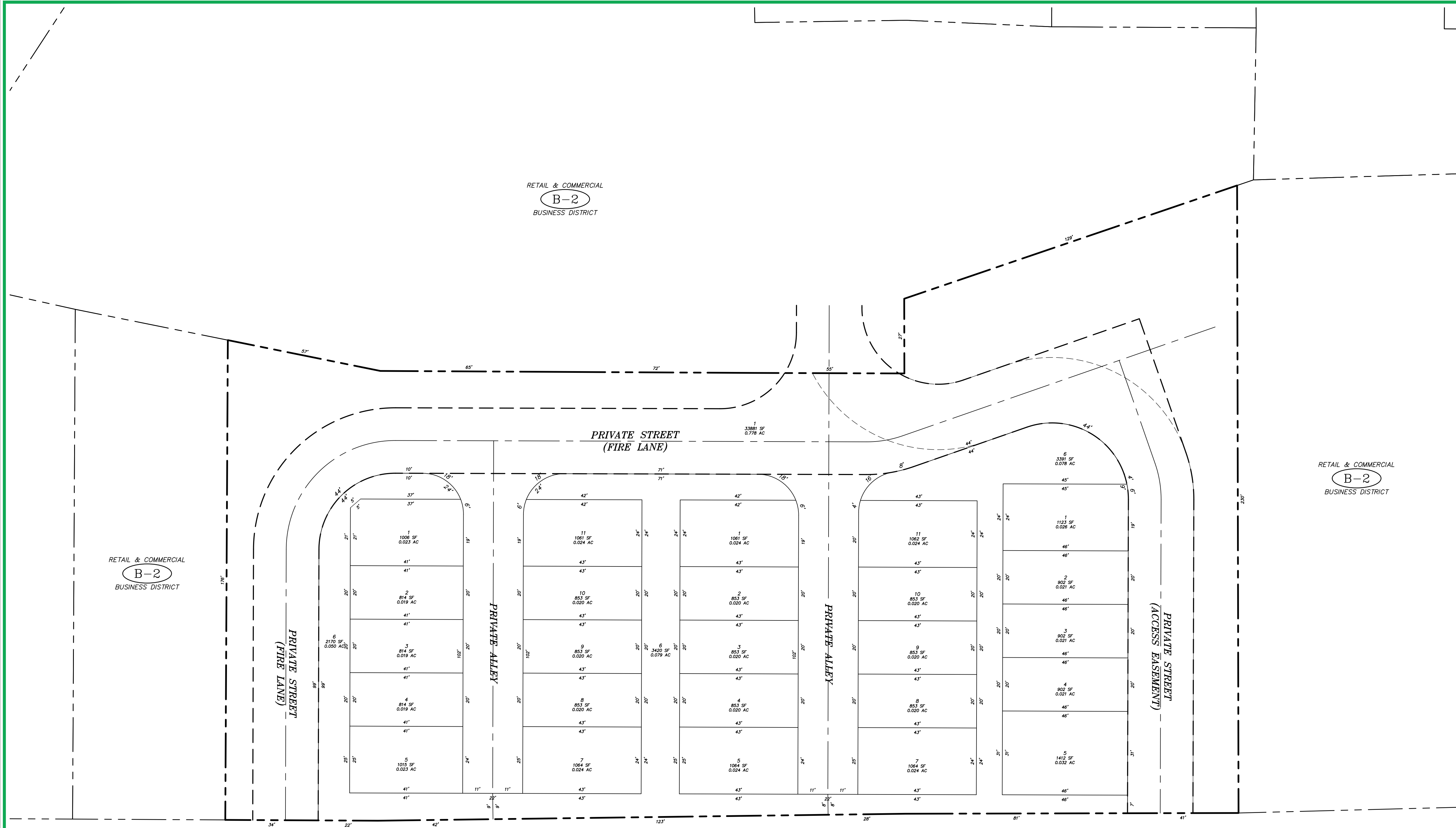
LAND PLAN  
855 WASHINGTON - TOWNHOMES  
STEPHENVILLE, TX



RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT

RETAIL & COMMERCIAL  
**B-2**  
BUSINESS DISTRICT



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**mima**  
civil engineering surveying landscape architecture planning  
tbpels registration number: 1 - 2759  
tbpels registration/license number: 10088000  
519 east border  
arlington, texas 76010  
817-469-1671  
fax: 817-274-8757  
www.mimatexas.com



## STAFF REPORT

**SUBJECT:** Case No.: RP2021-006

Property owner Taylor Kanute of Harbin Street LLC, is requesting a re-plat of property located at 0 S. Harbin Drive, Parcel R73763, of SOUTH SIDE ADDITION, BLOCK 19, LOT 15, of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary re-plat for the planned development.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

### RECOMMENDATION:

On July 21, the City Council approved the rezoning of the parcel to PD contingent upon the approval of a preliminary plat.

The applicant has submitted a preliminary plat along with the appropriate submittals currently under review by staff. Further, per the request of City Council, the applicant is providing additional detail relating to the Planned Development.

### BACKGROUND:

#### APPLICANT REQUEST:

The intended project will allow for retail and commercial space on approximately 2.7 acres, maintaining current zoning of B-2. The remainder of the parcel will be designated as a Planned Development relating to Townhomes.

#### CURRENT ZONING:

B-2 – Retail and Commercial

#### FUTURE LAND USE:

Commercial

#### DESCRIPTION OF REQUESTED ZONING

##### **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.

#### **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.
- (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 a 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.

**WATER:**

The property is served by a 12” city water main in Swan.

**SEWER:**

The property is served by a 6” sanitary sewer main in Sixth.

**STREET:**

The property is served by a city streets (Swan/Sixth and Harbin).

**ZONING AND LAND USE:**

| Location     | Zoning                      | Future Land Use            |
|--------------|-----------------------------|----------------------------|
| Subject Site | (B-2) Retail and Commercial | Commercial                 |
| North        | (CTS) City/Tarleton/School  | (CTS) City/Tarleton/School |
| South        | (I) Industrial              | (R-3) Multifamily          |
| East         | (I) Industrial              | Commercial                 |

West

(I) Industrial

Commercial

**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

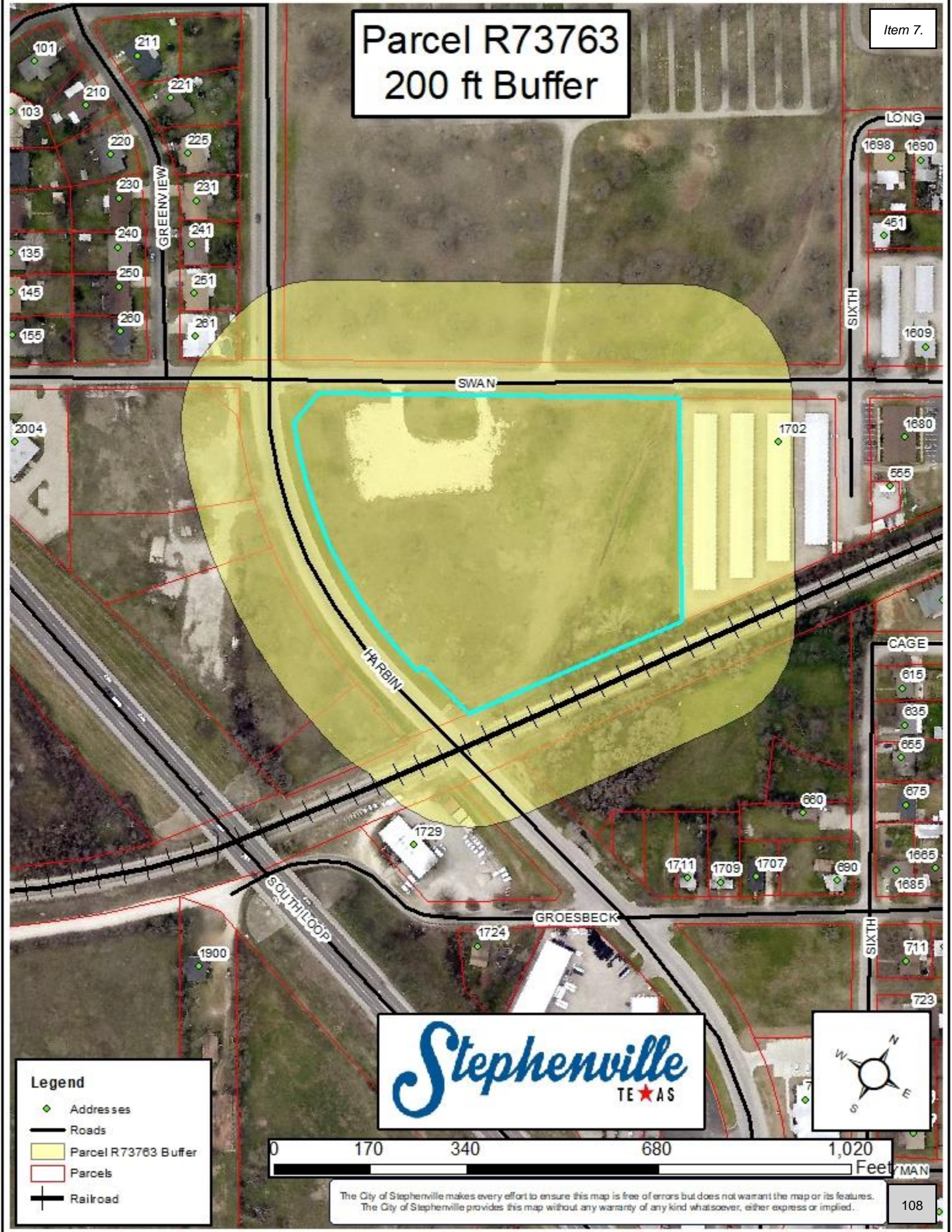
**ALTERNATIVES**

- 1) Approve the Preliminary Plat.

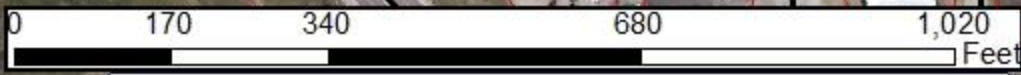


# Parcel R73763 200 ft Buffer

Item 7.



- Legend**
- ◆ Addresses
  - Roads
  - Parcel R73763 Buffer
  - ▭ Parcels
  - Railroad

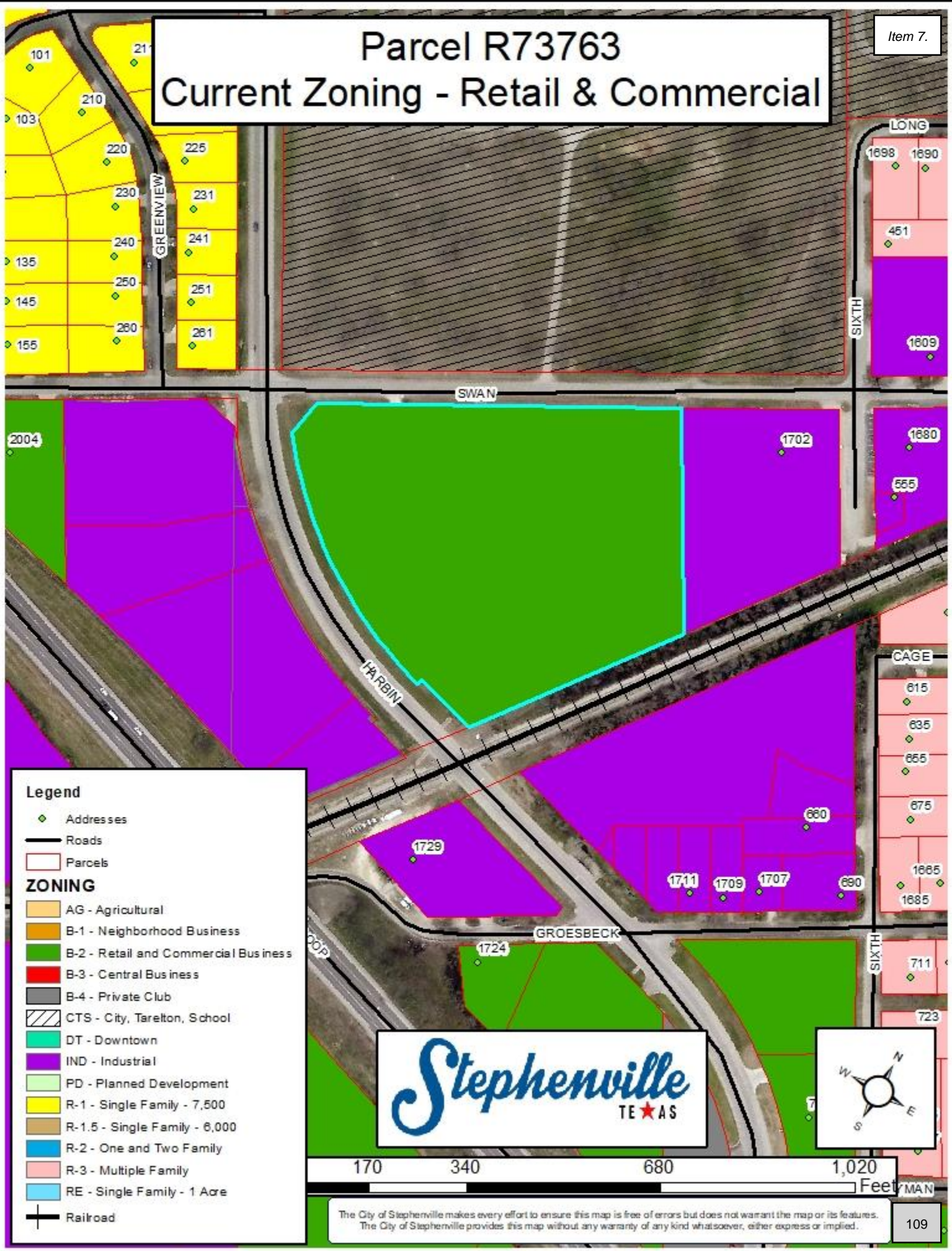


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# Parcel R73763

## Current Zoning - Retail & Commercial

Item 7.



**Legend**

- ◆ Addresses
- Roads
- ▭ Parcels

**ZONING**

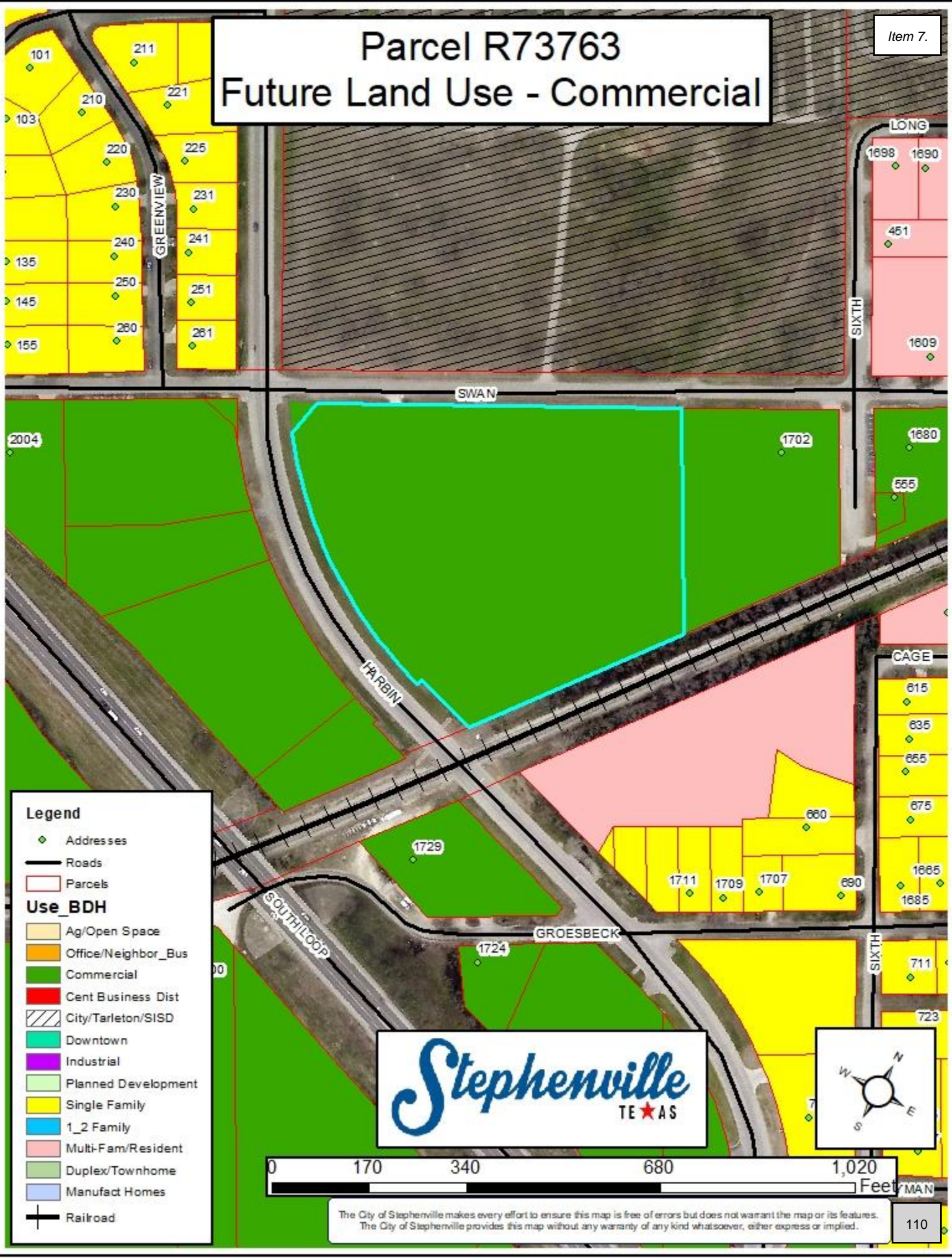
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One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



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# Parcel R73763 Future Land Use - Commercial

Item 7.

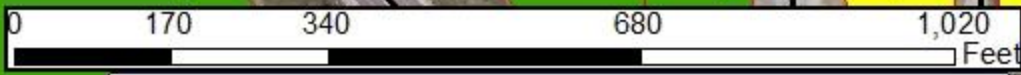


**Legend**

- ◆ Addresses
- Roads
- ▭ Parcels

**Use\_BDH**

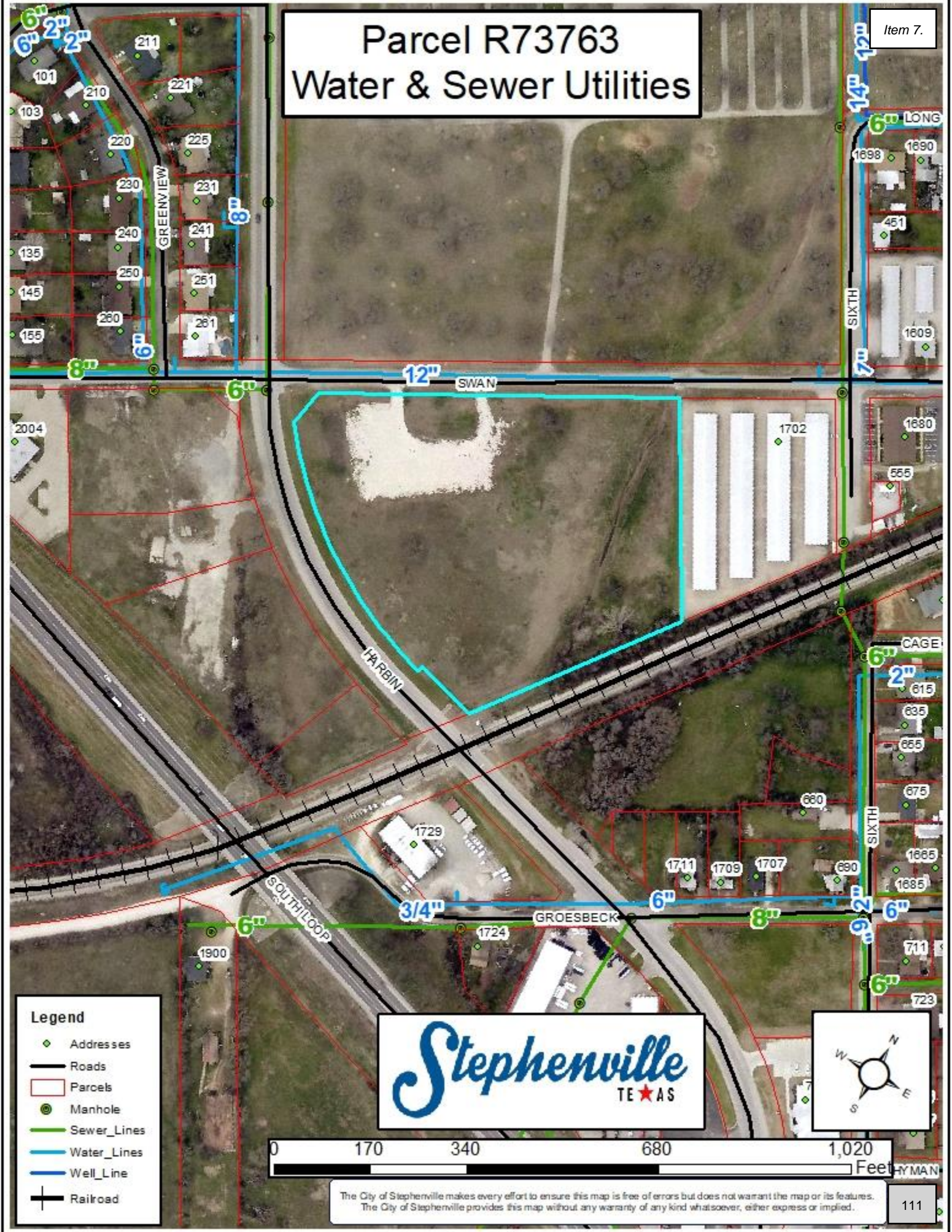
- Ag/Open Space
- Office/Neighbor\_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1\_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes
- ✚ Railroad



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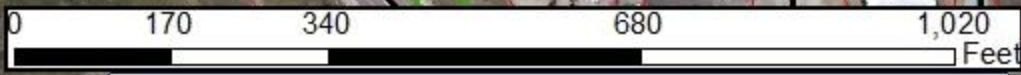
# Parcel R73763 Water & Sewer Utilities

Item 7.



**Legend**

- ◆ Addresses
- Roads
- Parcels
- Manhole
- Sewer\_Lines
- Water\_Lines
- Well\_Line
- Railroad

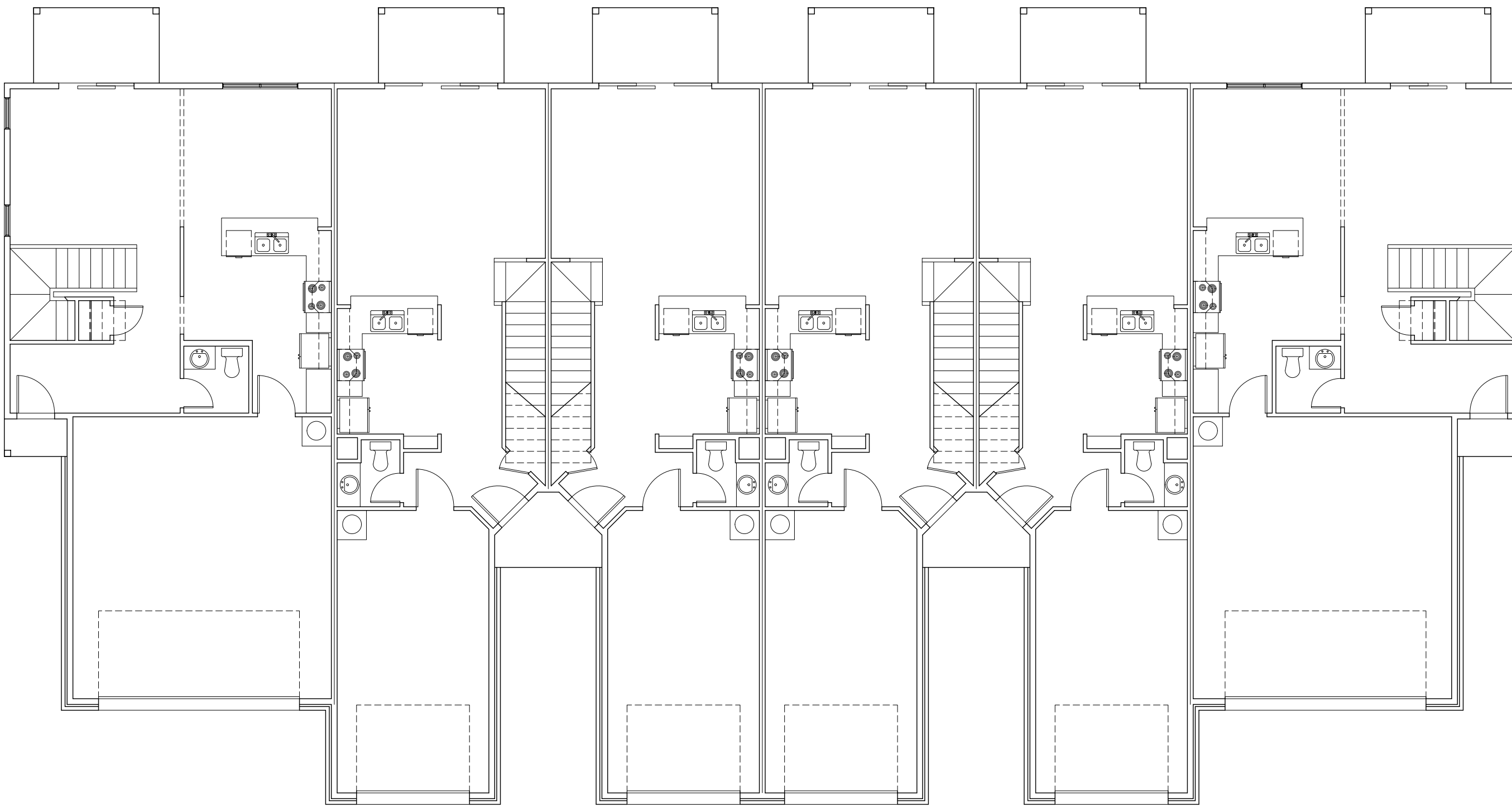


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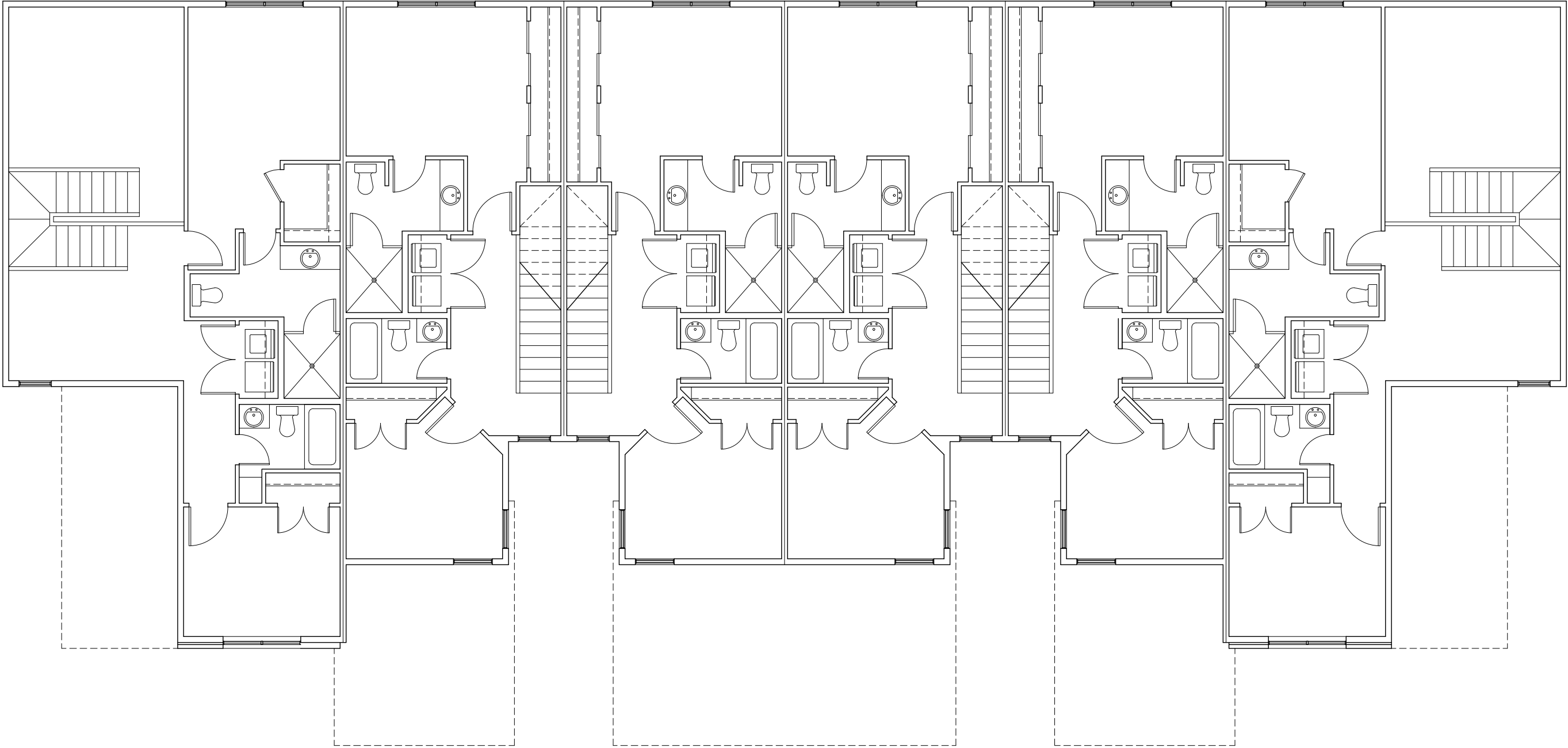
## Parcel R73763 Addresses

| Parcel ID  | Parcel Address           | Parcel Owner                        | Owner Address               | City         | State | Zip Code   |
|------------|--------------------------|-------------------------------------|-----------------------------|--------------|-------|------------|
| R000033593 | 1702 W SWAN ST           | BACHUS JAMES O FAMILY TRUST         | PO BOX 552                  | STEPHENVILLE | TX    | 76401-0552 |
| R000033595 | 610 SIXTH                | BACHUS JAMES O FAMILY TRUST         | PO BOX 552                  | STEPHENVILLE | TX    | 76401-0552 |
| R000063891 | 0 S HARBIN DR            | CITIZENS NATIONAL BANK OF TEXAS     | PO BOX 117                  | WAXAHACHIE   | TX    | 75168      |
| R000033485 | 0 S LILLIAN              | CITY OF STEPHENVILLE                | 298 W WASHINGTON            | STEPHENVILLE | TX    | 76401-4257 |
| R000033483 | 0 S HARBIN DR            | CITY OF STEPHENVILLE                | 298 W WASHINGTON            | STEPHENVILLE | TX    | 76401-4257 |
| R000063892 | 0 W SWAN                 | CITY OF STEPHENVILLE                | 298 W WASHINGTON            | STEPHENVILLE | TX    | 76401-4257 |
| R000014966 | 0 N PADDOCK & VANDERBILT | FORT WORTH & WESTERN RAILROAD       | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH   | TX    | 76116-5738 |
| R000031891 | 261 GREENVIEW DR         | GIFFORD TOBY & ANGELA               | 261 GREENVIEW               | STEPHENVILLE | TX    | 76401      |
| R000073763 | 0 S HARBIN DR            | HARBIN STREET LLC                   | PO BOX 936                  | GRANBURY     | TX    | 76048      |
| R000030481 | 0 S HARBIN DR            | HARBIN STREET LLC                   | PO BOX 936                  | GRANBURY     | TX    | 76048      |
| R000033594 | 0 S HARBIN DR            | HARBIN STREET LLC                   | PO BOX 936                  | GRANBURY     | TX    | 76048      |
| R000033602 | 1729 W GROESBECK         | RED TO BLACK LLC                    | 1484 FM205                  | STEPHENVILLE | TX    | 76401      |
| R000076373 | 0 S HARBIN DR            | STEPHENVILLE DEVELOPMENT CENTER INC | 187 W WASHINGTON            | STEPHENVILLE | TX    | 76401      |





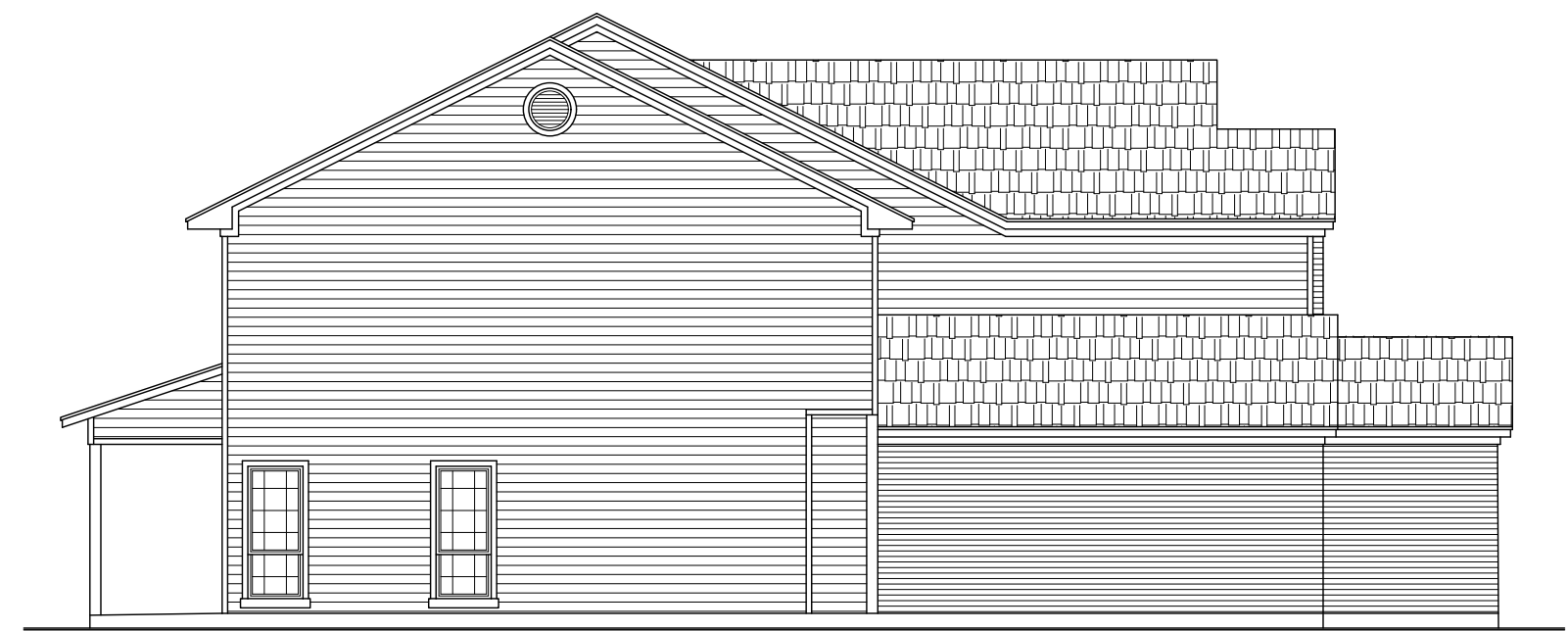
1ST FLOOR PLAN



2ND FLOOR PLAN



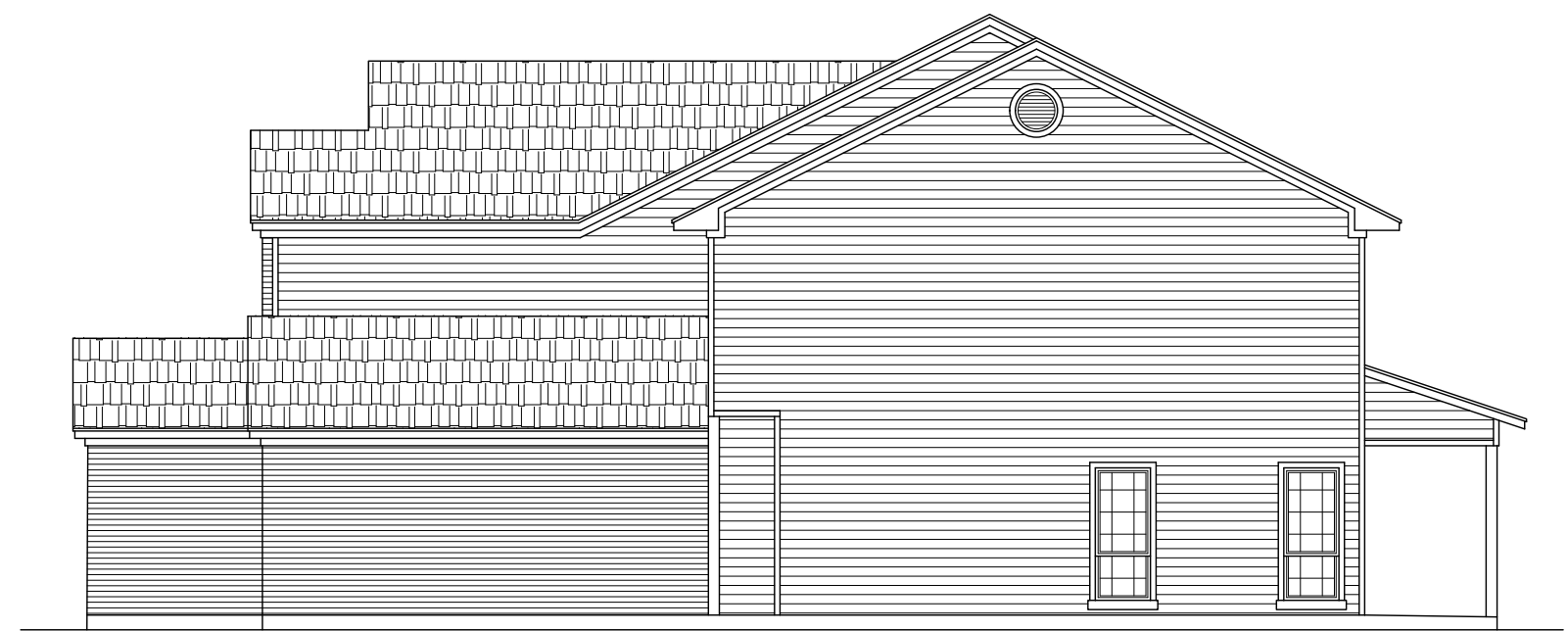
FRONT ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION

## Tarleton Crossings Planned Development Timeline

- **Development Plan**

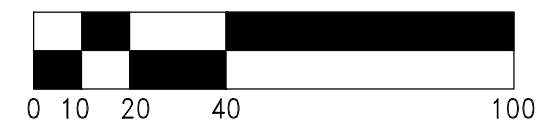
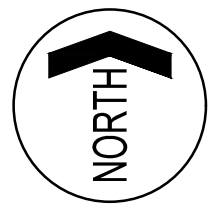
Upon full approval by the Stephenville City Council, it is the intent of the Developer to produce and submit final engineering plans and building plans to the Building Department for review. Once approved, the Developer will immediately begin construction of all civil improvements (roads, utilities, drainage, etc...). The development consists of a combination of four and six-unit town home buildings. There are two floorplans per building that are both 2 bedroom and 2.5 bathrooms. The interior units will have a one car garage and the end units will have a two car garage. All buildings will have uniform exteriors consisting of a combination of lap siding as well as board and baton siding, brick and stone on portions of the front and side elevations, with asphalt shingled roofs. The building materials will either be a Hardie or LP product. A high-resolution rendering of a six-unit building has been submitted to the development packet. All civil improvement details can be found under "Site Plan Notes" on the engineered plans.

- **Civil Improvements:**

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

- **General Construction:**

The Developer plans to commence construction on the first 2-4 buildings as soon as permits are approved and issued. Construction of each building is estimated at approximately 90 days. After evaluating past development projects and well as projects currently under construction, the Developer anticipates the completion of all 50 residential units within 18 months of initial construction. Upon approval of the Planned Development, the Developer will produce a more defined development timeline including start and completion dates.



SCALE: 1" = 40'

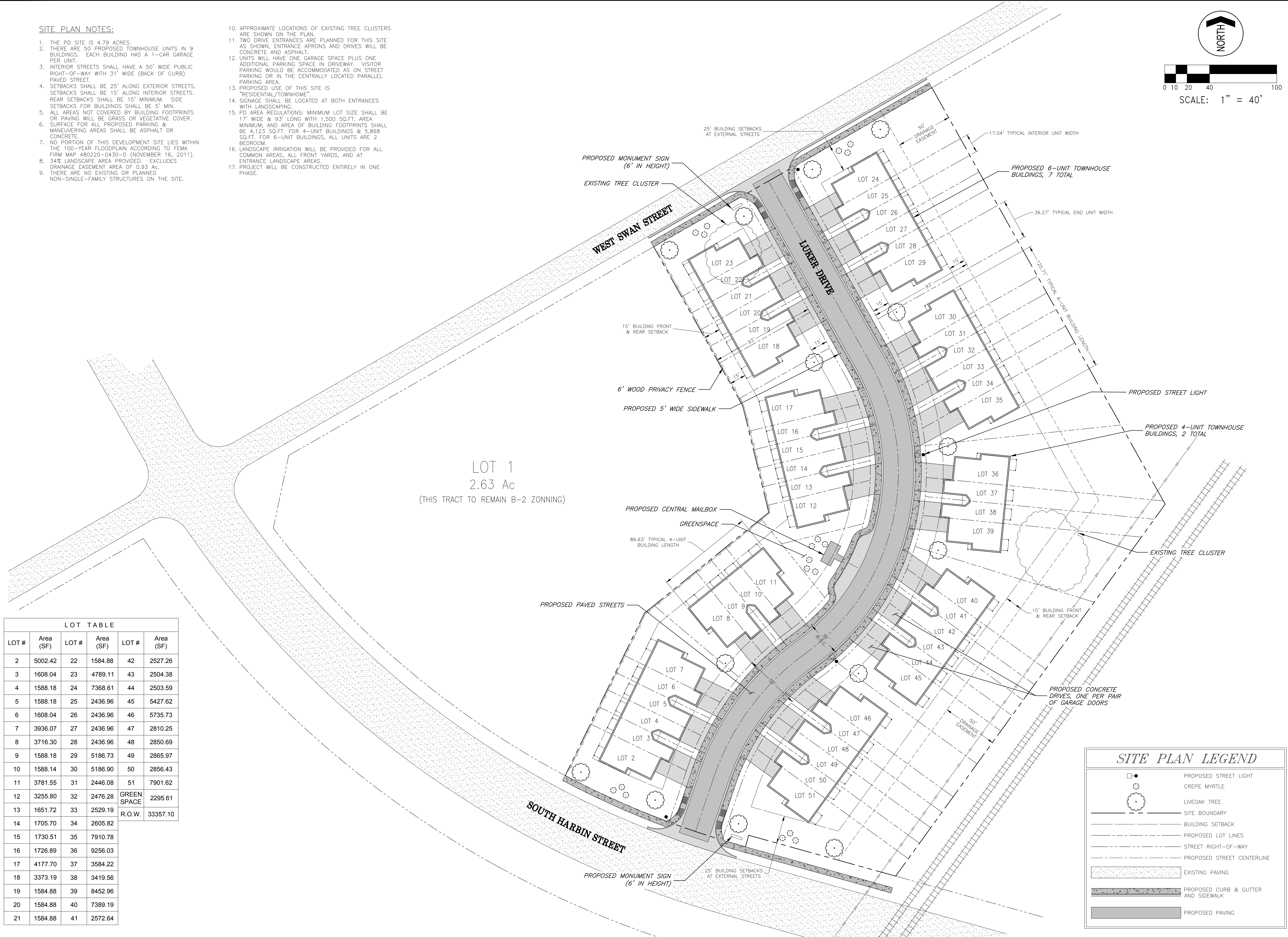
SITE PLAN NOTES:

1. THE PD SITE IS 4.79 ACRES.
2. THERE ARE 50 PROPOSED TOWNHOUSE UNITS IN 9 BUILDINGS. EACH BUILDING HAS A 1-CAR GARAGE PER UNIT.
3. INTERIOR STREETS SHALL HAVE A 50' WIDE PUBLIC RIGHT-OF-WAY WITH 31' WIDE (BACK OF CURB) PAVED STREET.
4. SETBACKS SHALL BE 25' ALONG EXTERIOR STREETS. SETBACKS SHALL BE 15' ALONG INTERIOR STREETS. REAR SETBACKS SHALL BE 15' MINIMUM. SIDE SETBACKS FOR BUILDINGS SHALL BE 5' MIN.
5. ALL AREAS NOT COVERED BY BUILDING FOOTPRINTS OR PAVING WILL BE GRASS OR VEGETATIVE COVER. SURFACE FOR ALL PROPOSED PARKING & MANEUVERING AREAS SHALL BE ASPHALT OR CONCRETE.
6. NO PORTION OF THIS DEVELOPMENT SITE LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO FEMA FIRM MAP 480220-0430-D (NOVEMBER 16, 2011).
7. 34% LANDSCAPE AREA PROVIDED. EXCLUDES DRAINAGE EASEMENT AREA OF 0.93 AC.
8. THERE ARE NO EXISTING OR PLANNED NON-SINGLE-FAMILY STRUCTURES ON THE SITE.

10. APPROXIMATE LOCATIONS OF EXISTING TREE CLUSTERS ARE SHOWN ON THE PLAN.
11. TWO DRIVE ENTRANCES ARE PLANNED FOR THIS SITE AS SHOWN. ENTRANCE APRONS AND DRIVES WILL BE CONCRETE AND ASPHALT.
12. UNITS WILL HAVE ONE GARAGE SPACE PLUS ONE ADDITIONAL PARKING SPACE IN DRIVEWAY. VISITOR PARKING WOULD BE ACCOMMODATED AS ON STREET PARKING OR IN THE CENTRALLY LOCATED PARALLEL PARKING AREA.
13. PROPOSED USE OF THIS SITE IS "RESIDENTIAL/TOWNHOME".
14. SIGNAGE SHALL BE LOCATED AT BOTH ENTRANCES WITH LANDSCAPING.
15. PD AREA REGULATIONS: MINIMUM LOT SIZE SHALL BE 17' WIDE & 93' LONG WITH 1,500 SQ.FT. AREA MINIMUM; AND AREA OF BUILDING FOOTPRINTS SHALL BE 4,123 SQ.FT. FOR 4-UNIT BUILDINGS & 5,868 SQ.FT. FOR 6-UNIT BUILDINGS. ALL UNITS ARE 2 BEDROOM.
16. LANDSCAPE IRRIGATION WILL BE PROVIDED FOR ALL COMMON AREAS, ALL FRONT YARDS, AND AT ENTRANCE LANDSCAPE AREAS.
17. PROJECT WILL BE CONSTRUCTED ENTIRELY IN ONE PHASE.

| LOT TABLE |           |       |           |       |                     |
|-----------|-----------|-------|-----------|-------|---------------------|
| LOT #     | Area (SF) | LOT # | Area (SF) | LOT # | Area (SF)           |
| 2         | 5002.42   | 22    | 1584.88   | 42    | 2527.26             |
| 3         | 1608.04   | 23    | 4789.11   | 43    | 2504.38             |
| 4         | 1588.18   | 24    | 7368.61   | 44    | 2503.59             |
| 5         | 1588.18   | 25    | 2436.96   | 45    | 5427.62             |
| 6         | 1608.04   | 26    | 2436.96   | 46    | 5735.73             |
| 7         | 3936.07   | 27    | 2436.96   | 47    | 2810.25             |
| 8         | 3716.30   | 28    | 2436.96   | 48    | 2850.69             |
| 9         | 1588.18   | 29    | 5186.73   | 49    | 2865.97             |
| 10        | 1588.14   | 30    | 5186.90   | 50    | 2856.43             |
| 11        | 3781.55   | 31    | 2446.08   | 51    | 7901.62             |
| 12        | 3255.80   | 32    | 2476.28   |       | GREEN SPACE 2295.61 |
| 13        | 1651.72   | 33    | 2529.19   |       | R.O.W. 33357.10     |
| 14        | 1705.70   | 34    | 2605.82   |       |                     |
| 15        | 1730.51   | 35    | 7910.78   |       |                     |
| 16        | 1726.89   | 36    | 9256.03   |       |                     |
| 17        | 4177.70   | 37    | 3584.22   |       |                     |
| 18        | 3373.19   | 38    | 3419.56   |       |                     |
| 19        | 1584.88   | 39    | 8452.96   |       |                     |
| 20        | 1584.88   | 40    | 7389.19   |       |                     |
| 21        | 1584.88   | 41    | 2572.64   |       |                     |

LOT 1  
2.63 Ac  
(THIS TRACT TO REMAIN B-2 ZONING)



**SITE PLAN LEGEND**

- PROPOSED STREET LIGHT
- CREPE MYRTLE
- LIVEOAK TREE
- SITE BOUNDARY
- - - BUILDING SETBACK
- - - PROPOSED LOT LINES
- - - STREET RIGHT-OF-WAY
- - - PROPOSED STREET CENTERLINE
- ▨ EXISTING PAVING
- ▨ PROPOSED CURB & GUTTER AND SIDEWALK
- ▨ PROPOSED PAVING

3485 CURREY LANE  
AUBURN, TX 76606  
325-695-1070

1508 SANTA FE DR, STE 204  
WEATHERFORD, TX 76086  
817-594-9880

1014 BROADWAY STREET  
LUBBOCK, TX 79401  
806-368-6375

**JACOB MARTIN**  
FIRM# F-2148

KEEWAYDIN DEVELOPMENTS, LLC.  
TARLETON CROSSING  
DEVELOPMENT PLAN

|       |           |          |
|-------|-----------|----------|
| DATE  | SCALE     | 1" = 40' |
| NO.   | REVISION  |          |
|       | PROJECT # | 21212    |
|       | DESIGNED  | R.M.     |
|       | DRAWN     | R.M.     |
|       | CHECKED   | T.F.     |
| SHEET |           | 1        |
| SEQ.  |           |          |

BAR IS ONE INCH IN LENGTH ON ORIGINAL DRAWING. CHECK SCALE & ADJUST ACCORDINGLY.

### **Tarleton Crossings Townhomes Planned Development**

Tarleton Townhomes will be a quality neighborhood of 50 attached single family dwellings, divided into 9 different buildings, each building will consist of either 4 or 6 units with 2 different floor plans with all end units being the same and all interior units the same as well. Each end unit will be approximately 1360square feet, with (2) carattached front loading garages. They will all have 2 bedrooms along with a 2nd floor loft overlooking the family room, 2.5 Bathrooms, 2 story entryways off of a covered front porch, kitchen with a dining area and a (2) story family room that opens onto a concrete or paver brick patio. Each unit will also have a 2nd floor laundry room. The Interior units will be approximately 1250 square feet, with a (1) car attached front load garages. . They will all have 2 bedrooms, 2.5 Bathrooms, 2 story entryways off of a covered front porch, kitchen with a dining area and a family room that opens onto a concrete or paver brick patio. Each unit will also have a 2nd floor laundry room. Exteriors of all units will consist of masonry (brick or stone or a combination) on portions of the front elevations and side elevations, cement based siding on the remainder. These units are expected to have a retail price range of \$190,000 to \$230,000.

Tarleton Crossing Townhomes will be improved with several amenities that will be maintained by its HOA. These include landscaping for the entire development and a storm water collection area that will be planted will grass and can be used by all residents for recreational uses. There will also be screening privacy fence constructed of wood along the westernly property line that will separate the townhomes from future commercial development. Monument signs identifying the development will be at both entrances located at Swan Street and Harbin Street. The intent of City Center is to create a friendly "walkable community" by installing sidewalks and parkway trees.

The density of City Center is planned to be 50 attached single family units on 4.79 acres, that will stretch on a newly constructed street that will stretch between Swan and Harbin Streets. All units will sit a minimum of 15 feet off of the interior streets and 25 off of exterior streets, rear setbacks will be a minimum of 15 feet there will be a minimum of 15 feet seperation inbetween all buildings.

#### **Section 1**

##### **Lot Development Regulation**

The following regulations apply to the development of each of the buildings as described below:

- Each unit shall be either 1250 or 1360 sq' with 1150 sq' of floor area including garages
- Front Yard - The minimum frond yard set back for each front yard will be 15 feet

- 
- 15 feet separation inbetween all buildings
- Rear Yard - minimum of 15 feet

## Section 2

### Landscape Regulations

Street Trees: A minimum of one (1) street tree shall be required for every 2 residential within the street parkway. Street Trees shall measure 3 inches in caliper at the time of planting. A list of suitable trees will be on the landscape plan to be submitted with the Development Plan.

Street Trees shall not be located in any on the following areas:

- Within an area that the mature canopy of the tree will interfere with overhead utility lines.
- Within an area that the mature root zone of the tree will interfere with underground public utility lines (including water lines, sewer lines, transmission lines or other utilities).
- Within ten (10) feet of a fire hydrant ; or
- Closer than thirty-five (35) feet to any street corner, measure from the point of nearest intersection curbs or curb lines

Detailed planting plans shall be submitted at the time of site plan and preliminary plat review and subject to approval by the City of Stephenville

Public sidewalks shall be permitted with in landscape areas

Landscape areas shall be considered common areas. As such, installation, and perpetual maintenance shall be the responsibility of the property owners' association, the commercial property owner, or the multi-family property installation, watering, or other maintenance of the landscape areas established by this section

## Section 3 Parking

### Regulations

All Planned Development districts shall be subject to the requirements of Vehicle Parking Regulations of the City of Stephenville Code or Ordinances along with regulations listed below:

- Parking and driveway shall be permitted within all required yard areas and must be paved with concrete or asphalt
- Handicapped parking shall be as set forth in the State of Texas Architectural Barriers Act.

Additional parking requirements for single family residential tracts developed for single family use shall be as follows:

- Boat and RV parking are prohibited in front yard areas
- Minimum 1 car garage required
- Driveway access shall be from streets



- Parking is only permitted on paved surfaces of concrete or asphalt

#### **Section 4**

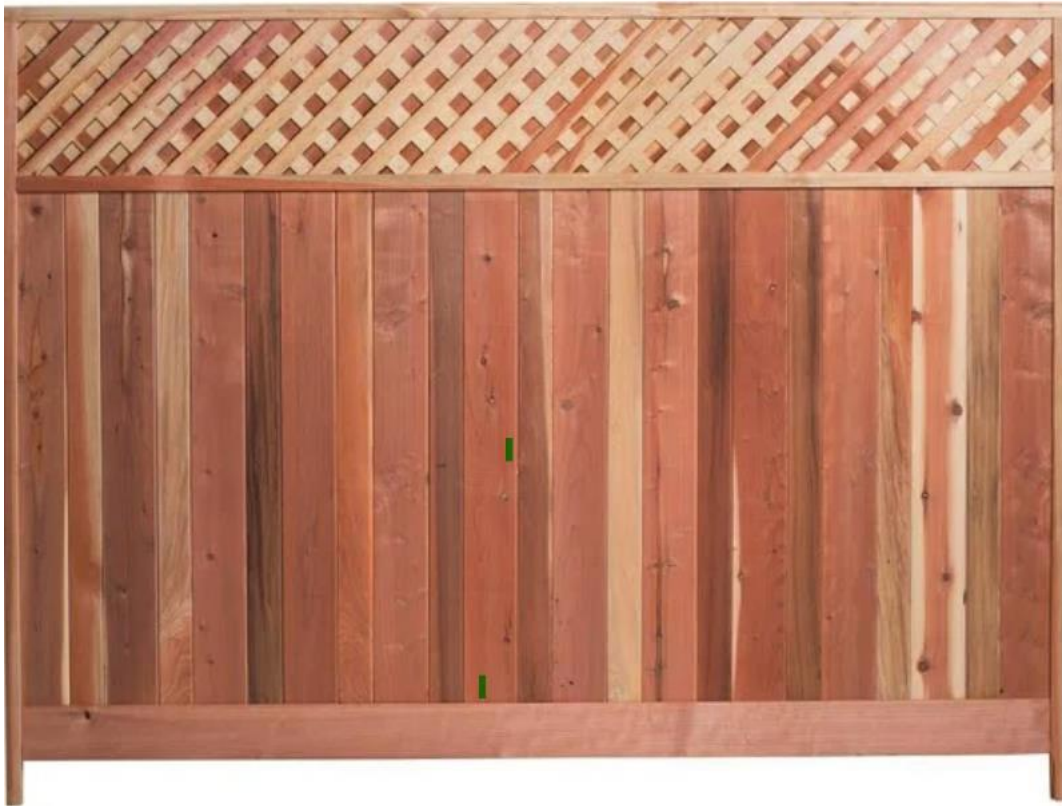
##### **Architectural Development Standards**

All buildings within all Planned Development Districts shall have an exterior finish of glass, stone, stucco, brick, tile, concrete, exterior wood and cementitious fiberboard products, aluminum/vinyl siding or similar materials of any combination thereof. The use of wood as a primary, exterior building materials shall be limited to a maximum of twenty-five (25) percent of the total exterior wall surfaces. Construction of buildings shall be subject to the requirements of Building Regulations concerning Masonry Construction Standards of the City of Stephenville Code of Ordinances along with additional regulations listed below:

- Design Elevations: House plan elevations may be repeated to create a single architectural design for the entire development.
- Roofs: Residential structures shall have a minimum of 6/12 pitch roof on the primary frontfacing roof.
- Garage Orientation: Shall have front entry garages approved for all lots. The garage door may be a single metal raised panel door.











## STAFF REPORT

**SUBJECT:** Zoning Ordinance Revisions to R-3 Multifamily and Consideration of Draft Zoning District Known as R-2.5

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

### RECOMMENDATION:

To recommend the City Council revise certain provisions of the zoning code and adopt a new section known as R-2.5 as a new residential zoning classification as reviewed by the Planning and Development Services committee on July 22, 2021.

### BACKGROUND:

Recent applications for rezoning requests relating to R-3 Multifamily developments have been met with public apprehension. Currently, the R-3 zoning classification list of permitted uses includes higher use development that if approved, could jeopardize the character of some of our existing neighborhoods.

City Council assigned the Development Services Committee to review the R-3 zoning classification and attempt to find a mechanism that could lead to the integration of trending housing choices while protecting our existing neighborhoods. Subsequently, the Committee has proposed actions that will, in essence, remove townhomes and equivalent housing from the R-3 classification and propose a new R-2.5 zoning classification that will include townhomes, single-family homes on smaller parcels and duplexes. The following items are also accomplished through the proposals:

- A. Townhome requirements are removed from the R-3 zoning classification and separate zoning classification for townhomes and trending housing styles is proposed.
- B. A clear distinction on density requirements for the new zoning classification for townhomes is set at 14 units per acre compared to a density of 24 units per acre for multifamily dwellings.
- C. R-2.5 allows for single family and townhome dwellings. Duplex style home are also a permitted use but at a much lower density.
- D. Variations from density/setback requirements for the newly established zoning classification will require a residential site plan submittal and subsequent approval through Planning & Zoning and City Council.
- E. Parking requirements for the R-3 zoning over the newly established zoning classification (R-3 is currently allowed up to 24 units per acre). Increase parking requirements intended for student housing properties, revising from per unit to per bed.
- F. Establish a clear distinction between R-3 zoning relating to student housing has been clarified to mean two spaces per rented bed.
- G. R-3 zoning will generally relate to managed properties on a single-parcel while the newly established zoning will generally allow for replatted properties where each unit is individually platted and typically, owner occupied.
- H. R-3 zoning will not have a site plan review process but will maintain the current process of variance requests before the Board of Adjustment.

### ALTERNATIVES

- 1) Recommend the City Council adopt the proposals from the Development Services Committee.
- 2) Recommend the City Council reject the proposals from the Development Services Committee.
- 3) Recommend modifications to the proposals from the Development Service Committee.

**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 aesthetic 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;
- (5) 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.~~
- (6) Assisted living center;
- (7) Convalescent, nursing or long term-care facility;
- (8) Retirement housing complex;
- (9) Accessory buildings;
- (10) Churches, temples, mosques and related facilities;
- (11) Community home;
- (12) Park or playground;
- (13) SISD school—public;
- (14) Bed and breakfast/boarding house;
- (15) Group day care home;
- (16) Registered family home;
- (17) Day care center; and
- (18) 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.

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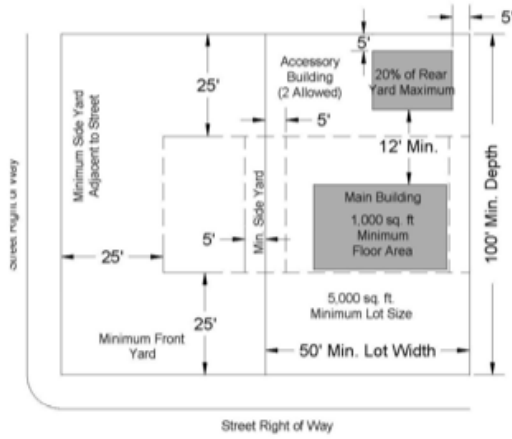
**Steve Killen Deleted:** (3)→Townhouse dwellings, with each family limited as in division (1) above; ¶  
(4)→Condominium dwellings, with each family limited as in division (1) above; ¶

**Steve Killen Deleted:**



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

- (A) *Single family dwelling.*
- (1) Minimum lot area: 5,000 ft<sup>2</sup>
  - (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 ft<sup>2</sup>
  - (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.

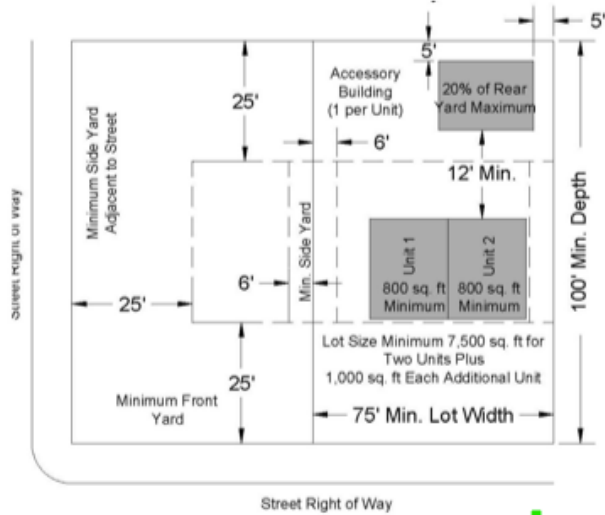


**5.6.F Parking Regulations.** A Single-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(B) *Two-to-four family.*

- (1) Minimum lot area: 7,500 ft<sup>2</sup> for two dwelling units, plus 1,000 ft<sup>2</sup> 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 ft<sup>2</sup>
- (8) Accessory buildings:
  - (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>

- (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.



A Two to Four-Family, R-3 District lot 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 this ordinance, Section 11, Parking Regulations of this ordinance.

(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.

**Steve Killen**

- Deleted:** (C)→Townhouse/Condominium.¶  
 (1)→Minimum lot area: 3,000 ft<sup>2</sup> per unit. ¶  
 (2)→Minimum average lot width and lot frontage 30 feet. ¶  
 (3)→Minimum lot depth: 100 feet. ¶  
 (4)→Minimum depth of front setback: 25 feet. ¶  
 (5)→Minimum depth of rear setback: 15 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 building coverage as a percentage of lot area: 40% ¶  
 (b)→Minimum area of each Townhouse dwelling unit: 800 ft<sup>2</sup>. ¶  
 (c)→Minimum area of each Condominium of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less, plus 125 ft<sup>2</sup> 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 ft<sup>2</sup>. ¶  
 (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. ¶

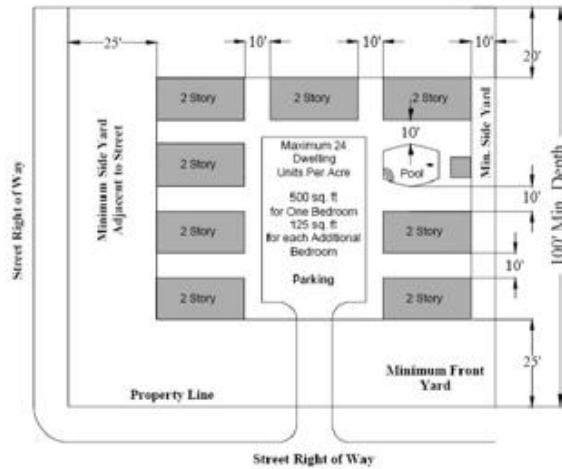
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(Supp. No. 3)

- (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 ft<sup>2</sup> for one bedroom or less plus 125 ft<sup>2</sup> 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**



A Multiple-Family, R-3 District lot 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 this ordinance, Section 11, Parking Regulations 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.



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

## Sec. 154.0XX Integrated Housing District (R-2.5).

**5.6 .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 R-2.5 Intergrated Housing District will be applicable to for all Residential districts, B-1 Neighborhood Business and B-3 Central Business.

### 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) Townhouse dwellings, with each family limited as in division (1) above;
- (4) Condominium dwellings, with each family limited as in division (1) above;

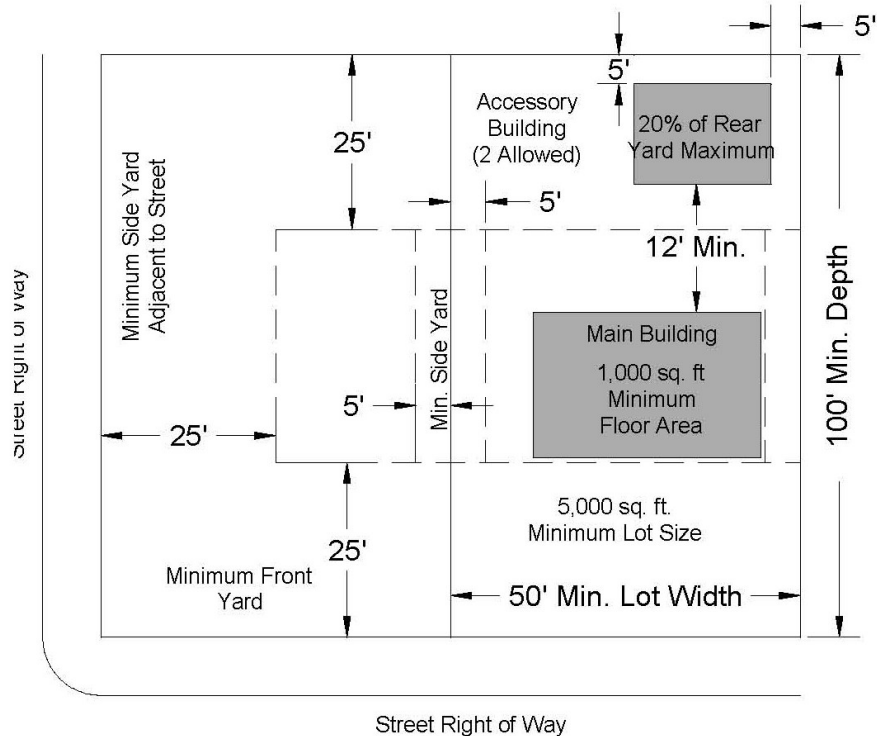
### 5.6.C Conditional Uses.

- (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: 3,000 ft<sup>2</sup>.
  - (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 ft<sup>2</sup>.
- (8) Accessory buildings:
- Maximum accessory buildings coverage of rear yard: 20%.
  - Maximum number of accessory buildings: one.
  - Minimum depth of side setback: five feet.
  - Minimum depth of rear setback: five feet.
  - 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.

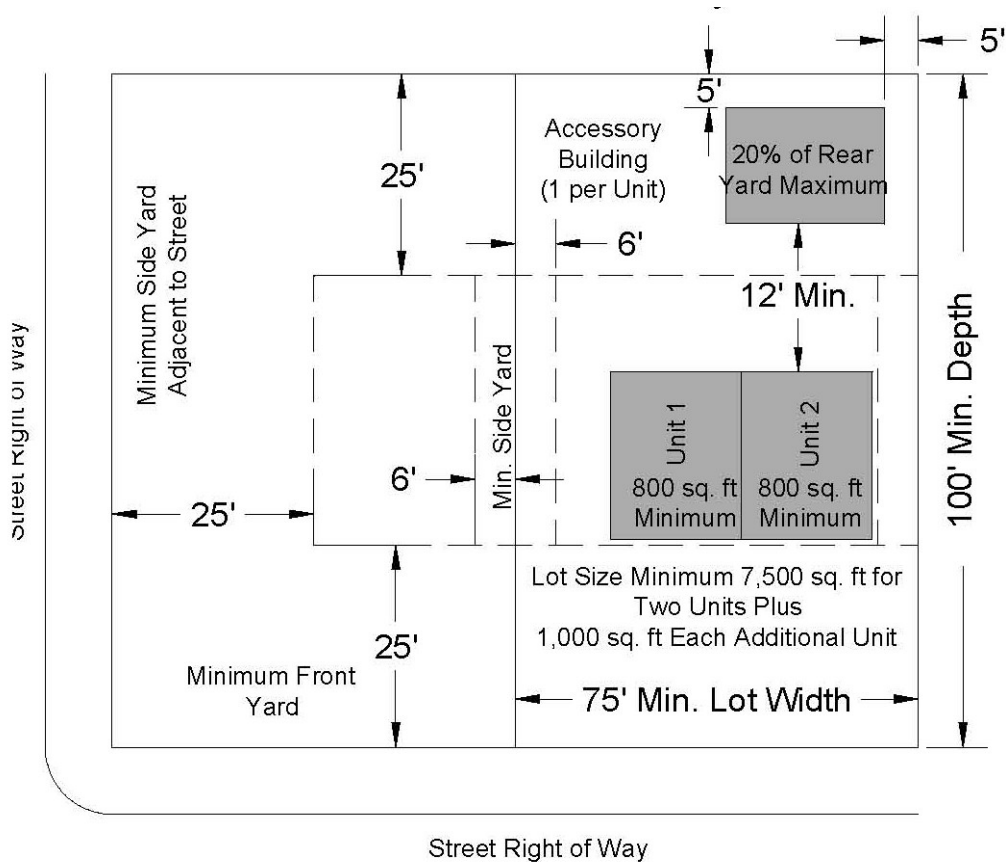


**5.6.E Parking Regulations.** A Single-Family, R-2.5 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

- (B) *Two-to-four family.*
- Minimum lot area: 7,500 ft<sup>2</sup> for two dwelling units, plus 1,000 ft<sup>2</sup> for each additional dwelling unit.
  - 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 ft<sup>2</sup>.
  - (8) Accessory buildings:
    - (a) Maximum accessory building coverage of rear yard: 20%.
    - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>.
    - (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.





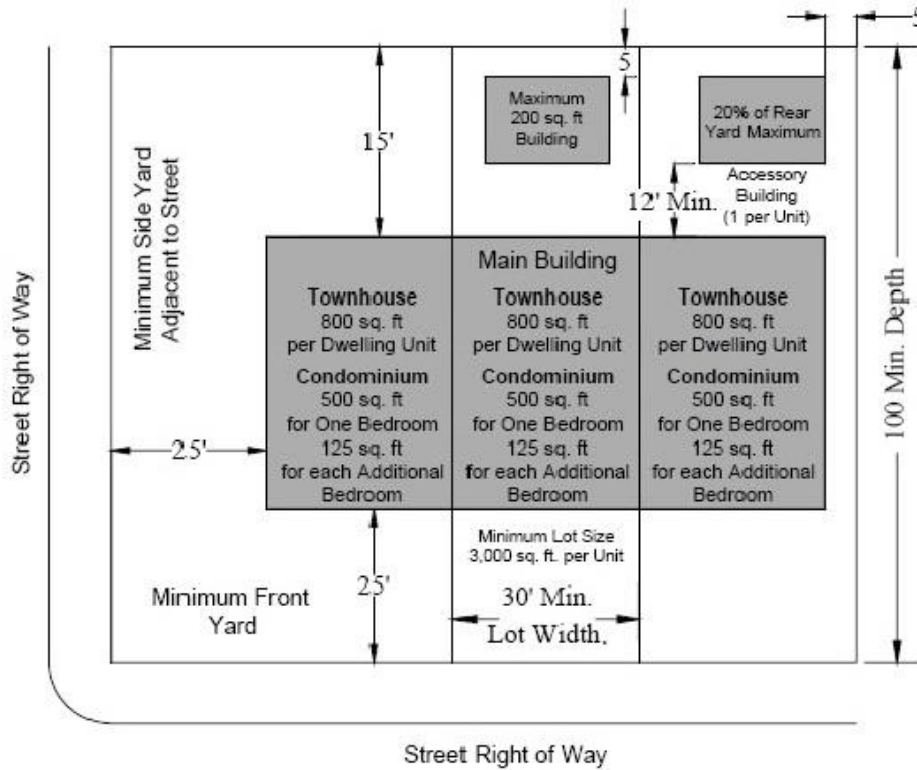
A Two to Four-Family, R-2.5 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(C) *Townhouse/Condominium.*

- (1) Minimum lot area: 3,000 ft<sup>2</sup> per unit.
- (2) Minimum average lot width and lot frontage: 30 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum depth of rear setback: 15 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 building coverage as a percentage of lot area: 40%
  - (b) Minimum area of each Townhouse dwelling unit: 800 ft<sup>2</sup>.
  - (c) Minimum area of each Condominium of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less, plus 125 ft<sup>2</sup> 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 ft<sup>2</sup>.
  - (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.

### Townhouse/Condominium



A Townhouse/Condominium, R-3 District lot 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 this ordinance, Section 11, Parking Regulations of this Ordinance.

Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011)

**CITY OF STEPHENVILLE TEXAS  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 154.05.6 MULTIPLE FAMILY RESIDENTIAL DISTRICT (R-3) OF THE CODE OF ORDINANCES OF THE CITY OF STEPHENVILLE, TEXAS BY REVISING SUBSECTIONS 5.6A, 5.6B AND 5.6E(D) AND DELETING SUBSECTIONS 5.6.B (3&4) AND 5.6E (C) AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, The City Council of City of Stephenville, Texas desires to change various conditions and requirements of Section 154.05.6, Multiple Family Residential District ( R-3), of the Code of Ordinances; and

**WHEREAS**, the changes have been recommended and approved by City staff and by the Planning and Zoning Commission;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS:**

Section 154.05.6 of the Code of Ordinances is hereby amended to read as follows:

**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 aesthetic 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.

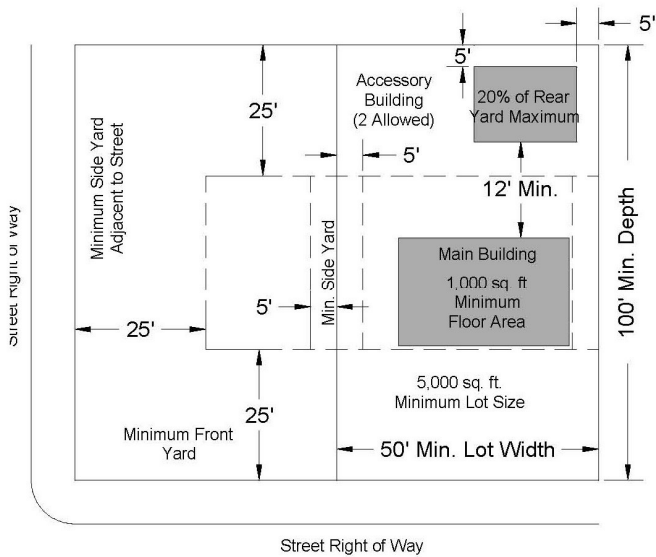
**5.6.C Conditional Uses.**

- (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 ft<sup>2</sup>.
  - (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 ft<sup>2</sup>.
  - (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.

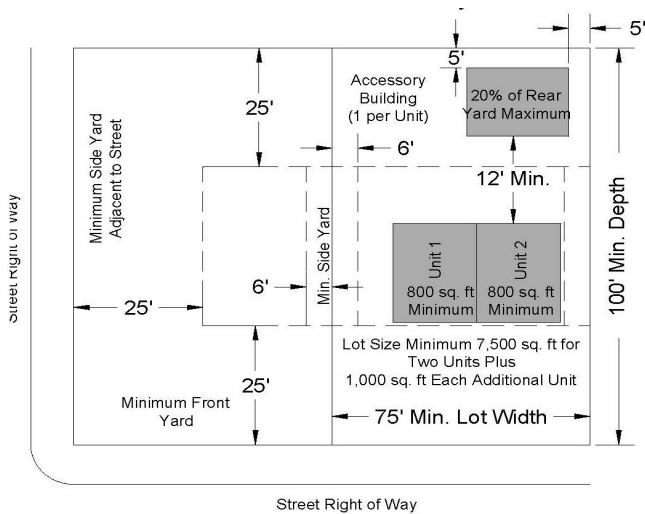


**5.6.E Parking Regulations.** A Single-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(B) *Two-to-four family.*

- (1) Minimum lot area: 7,500 ft<sup>2</sup> for two dwelling units, plus 1,000 ft<sup>2</sup> 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.

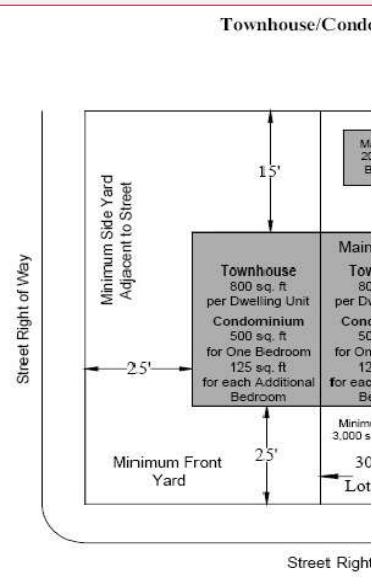
- (5) Minimum depth of rear setback: 25 feet.
- (6) Minimum width of side setback:
  - (a) Internal lot: six feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
  - (a) Maximum coverage as a percentage of lot area: 40%.
  - (b) Minimum area of each dwelling unit: 800 ft<sup>2</sup>.
- (8) Accessory buildings:
  - (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - (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.



A Two to Four-Family, R-3 District lot 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 this ordinance, Section 11, Parking Regulations of this ordinance.

(D) *Multiple family dwellings.*

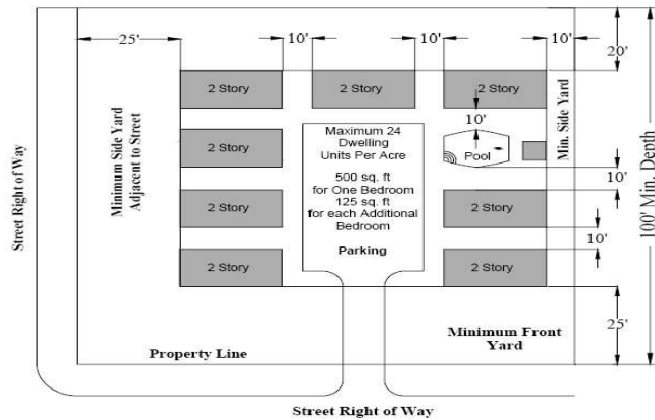
- (1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
- (2) Minimum lot depth: 100 feet.
- (3) Minimum depth of front setback: 25 feet.
- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
  - (a) Internal lot: ten feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less plus 125 ft<sup>2</sup> 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**

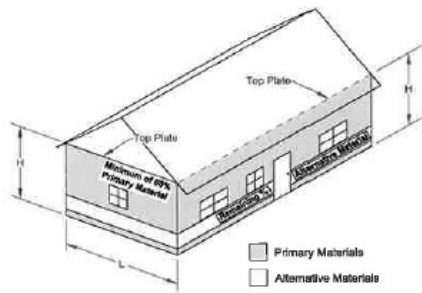
**Multiple Family Dwelling**



A Multiple-Family, R-3 District lot 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 this ordinance, Section 11, Parking Regulations 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)

This ordinance shall be effective upon passage.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2021.

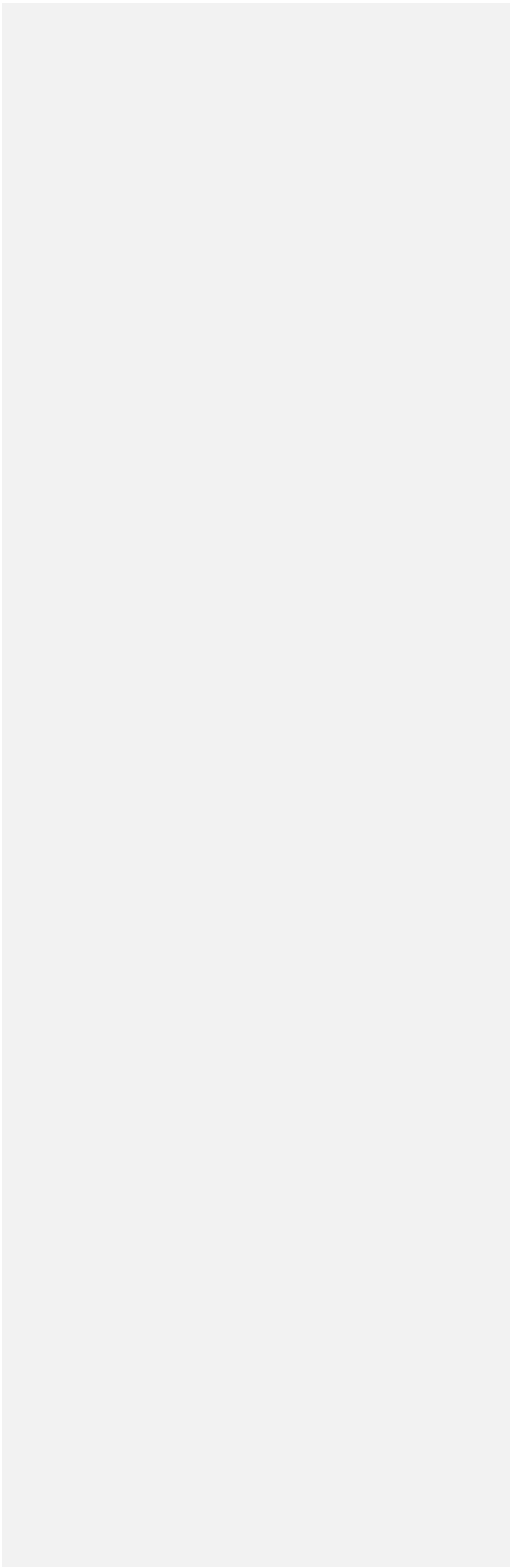
\_\_\_\_\_  
 Doug Svien, Mayor

ATTEST:

\_\_\_\_\_  
 Staci L. King, City Secretary

\_\_\_\_\_  
 Reviewed by Allen L. Barnes,  
 City Administrator

\_\_\_\_\_  
 Randy Thomas, City Attorney  
 Approved as to form and legality



**CITY OF STEPHENVILLE TEXAS  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF STEPHENVILLE, TEXAS ESTABLISHING A ZONING CLASSIFICATION IN THE CODE OF ORDINANCES PROVIDING FOR MEDIUM DENSITY CITY NEIGHBORHOOD DEVELOPMENT TO BE KNOWN AS SECTION 154.05.8 INTEGRATED HOUSING DISTRICT ( R-2.5) AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Current City zoning regulations do not provide a classification to provide for medium density city neighborhood development; and

**WHEREAS**, the City Council of the City of Stephenville, Texas desires to provide a zoning classification for said development with appropriate rules and regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS:**

The following zoning classification is hereby established to the City of Stephenville Code of Ordinances:

**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 R-2.5 Integrated Housing District will be applicable to for all Residential districts, B-1 Neighborhood Business and B-3 Central Business.

**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;

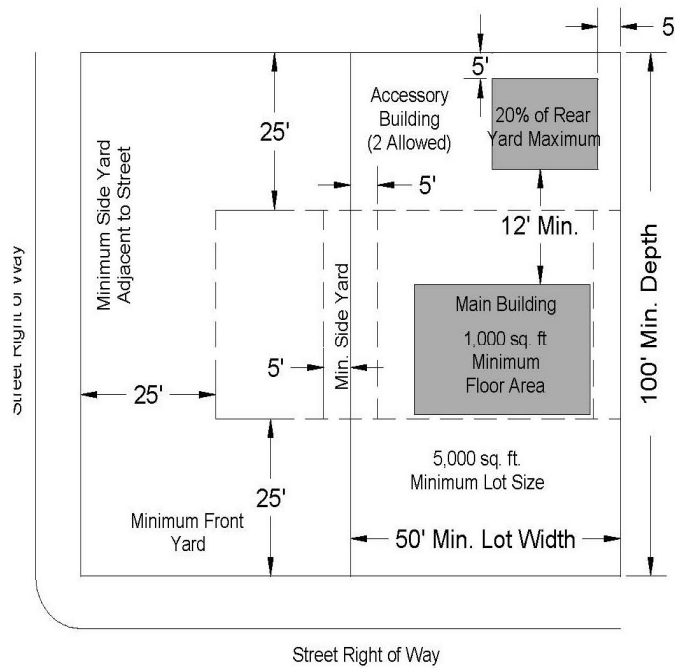
### 5.8.C Conditional Uses.

- (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 ft<sup>2</sup>.
- (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 ft<sup>2</sup>.
- (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.

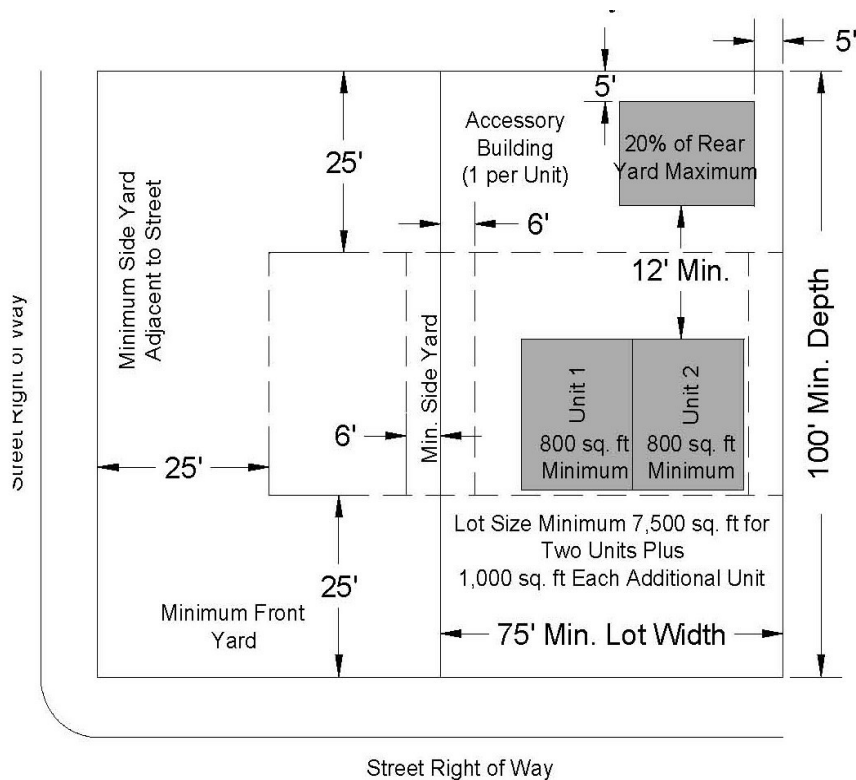


**5.8.E Parking Regulations.** A Single-Family, R-2.5 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(B) *Two-to-four family.*

- (1) Minimum lot area: 7,500 ft<sup>2</sup> for two dwelling units, plus 1,000 ft<sup>2</sup> 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 ft<sup>2</sup>.
- (8) Accessory buildings:

- (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - (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.



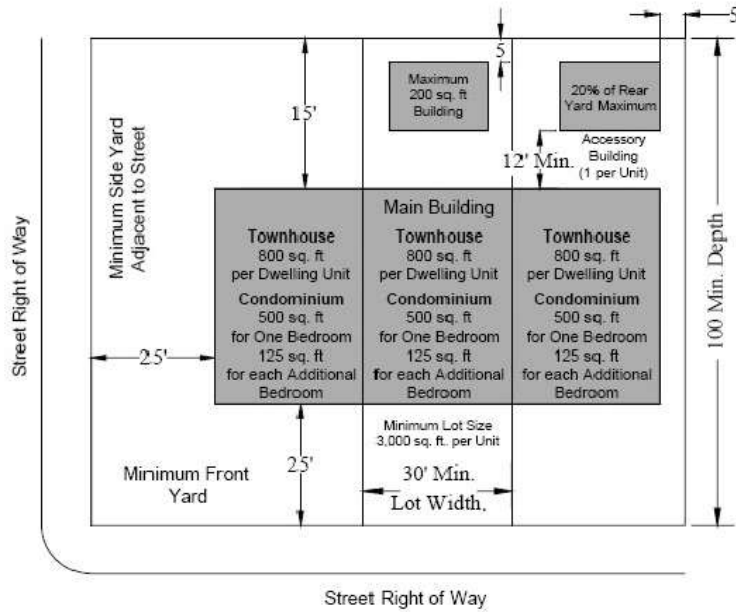
A Two to Four-Family, R-2.5 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(C) *Townhouse/Condominium.*

- (1) Minimum lot area: 3,000 ft<sup>2</sup> per unit.
- (2) Minimum average lot width and lot frontage: 30 feet.

- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum depth of rear setback: 15 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 building coverage as a percentage of lot area: 40%
  - (b) Minimum area of each Townhouse dwelling unit: 800 ft<sup>2</sup>.
  - (c) Minimum area of each Condominium of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less, plus 125 ft<sup>2</sup> 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 ft<sup>2</sup>.
  - (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.

Townhouse/Condominium



A Townhouse/Condominium, R-3 District lot 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 this ordinance, Section 11, Parking Regulations of this Ordinance.

Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011)

This ordinance shall be effective upon passage.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Doug Svien, Mayor

ATTEST:

\_\_\_\_\_  
Staci L. King, City Secretary

\_\_\_\_\_  
Reviewed by Allen L. Barnes,  
City Administrator

\_\_\_\_\_  
Randy Thomas, City Attorney  
Approved as to form and legality



