



PLANNING AND ZONING COMMISSION

City Hall Council Chambers, 298 W. Washington
Wednesday, December 21, 2022 at 5:30 PM

AGENDA

CALL TO ORDER

MINUTES

- [1.](#) **CONSIDER APPROVAL OF MINUTES - November 16, 2022**

REGULAR AGENDA

PUBLIC HEARING

- [2.](#) **Case No.: PP2022-001**

Applicant Gregory Hopcus, representing Emanuel Glockzin with Retirement Living for Seniors, LTD, is requesting approval of a preliminary plat of property located at 0 W Lingleville Rd, Parcel R77868, 7.664 Acres of A0520 Menefee Jarrett, of the City of Stephenville, Erath County, Texas.

- [3.](#) **Case No.: RZ2022-021**

Applicant Ophelia Mosbey, representing Moways Communications, LLC, is requesting a rezone of property located at 0 College Farm Rd, Parcel R77880, being 0.809 acres of CITY ADDITION; BLOCK 91; LOT 1(Pt OF) of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Industrial (I) to Multifamily Residential District (R-3).

- [4.](#) **Case Nos.: RZ2022-026 and PP2022-002**

Applicant Casey Raitz, representing RF Land Holdings, LLC, is requesting a rezone with simultaneous approval of the Preliminary Plat for property located at 0 E Collins Street, Parcel R29629, being 5.29 acres of CITY ADDITION, BLOCK 65, LOT 1 (Pt. OF) of the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Single Family Residential District (R-1)

- [5.](#) **Proposed Revision to Chapter 154.05.8.D(C)(12) of the Zoning Ordinance relating to the Deviation from Required Standards**

ADJOURN

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



PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington
 Wednesday, November 16, 2022 at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, November 16, 2022 at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular Business Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

COMMISSIONERS PRESENT: Lisa LaTouche, Chairperson
 Brian Lesley, Vice Chair
 Bruce Delater
 Nick Robinson

Justin Allison
 Tom Hines

COMMISSIONERS ABSENT: Mary Beach McGuire
 Paul Ashby, Alternate 1

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 –October 19, 2022

MOTION by Nick Robinson, second by Bruce Delater to approve the minutes for October 19, 2022.
 MOTION CARRIED by unanimous vote.

PUBLIC HEARING

2. Case No.: RZ2022-025

Applicants Jonathan and Sylvia Hernandez are requesting a rezone of property located at 201 Ballow, Parcel R17533, being BLOCK 153; LOT 43 of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Retail and Commercial Business District (B-2) to Muti-Family District (R-3).

Development Services Director, Steve Killen briefed the Commission in regard to the case. Mr. Killen stated that the current zoning of B-2, Retail and Commercial District. The Future Land Use for this property is also designated as B-2, Retail and Commercial District. However, the applicant is requesting rezone to market the property as R-3, Multifamily. The property is 0.93 acres with frontage of approximately 213' along Old Hico Road and 200' frontage along Ballow. Mr. Killen concluded his comments by informing the Commission that the existing uses in the area are single family residential, multifamily and commercial.

Realtor Mica McEnroe with Ebby Holiday was present to answer any of the Commissioners questions.

Chairperson LaTouche opened the public hearing at 5:33 PM.

No one spoke in favor or against the rezone request.

Chairperson LaTouche closed the public hearing at 5:33 PM.

MOTION by Brian Lesley, second by Nick Robinson, to recommend approval to the City Council for the rezone of property located at 201 Ballow, Parcel R17533, being BLOCK 153; LOT 43 of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Retail and Commercial Business District (B-2) to Muti-Family District (R-3). MOTION CARRIED by a unanimous vote.

3. Case No.: PP2022-001 - Pulled

Applicant Gregory Hopcus, representing Emanuel Glockzin with Retirement Living for Seniors, LTD, is requesting an approval of a Preliminary plat of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas.

4. Case No.: RP2022-011 - Pulled

Applicant Steven Lively is requesting a replat of property located at 905 E. Washington, Parcel R29901, being BLOCK 83; LOT 5 of the CITY ADDITION to City of Stephenville, Erath County, Texas.

ADJOURN

The meeting was adjourned at 5:34 PM.

APPROVED:

Lisa LaTouche, Chair

ATTEST:

Tina Cox, Commission Secretary



STAFF REPORT

SUBJECT: Case No.: PP2022-001

Applicant Gregory Hopcus, representing Emanuel Glockzin with Retirement Living for Seniors, LTD, is requesting approval of a preliminary plat of property located at 0 W Lingleville Rd, Parcel R77868, 7.664 Acres of A0520 Menefee Jarrett, of the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

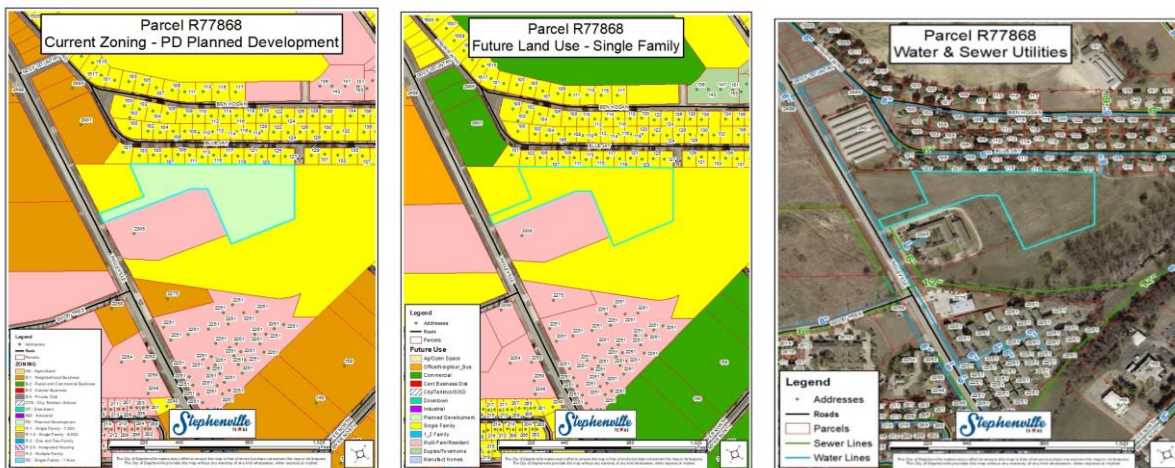
STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

A Planned Development District rezone was approved by City Council on June 28, 2022. The applicant is now requesting approval of a preliminary plat of the property.

BACKGROUND:

PROPERTY PROFILE:



Staff Plat Review Comments:

Staff recommends conditional approval of the Preliminary Plat upon completion of the following:

1. Approval of the Applicant's driveway application submitted to TxDOT.
2. The Applicant shall furnish a current title commitment issued by a title insurance company authorized to do business in Texas, a title opinion letter from an attorney licensed to practice in Texas, or some other acceptable proof of ownership, identifying all persons having an ownership interest in the property subject to the Preliminary Plat.
3. Provide for a 30-foot setback on the West side of the property as stated during presentation of the Planned Development. Include a plat note that screening will be provided in the setback area consisting of landscaping and fencing.

4. Provide a 20-foot public access/utility easement for the 8" water line being proposed through the site, which will provide a loop from the existing 12" water line along Lingleville Rd to the existing 6" water line along Vantage Dr.
5. Clarify if detention is proposed within the extents of the proposed 100' PUE, or if there is another purpose for this easement. Include a plat note clarifying the property owner is responsible for maintenance of the property and private infrastructure within this easement and that the proposed sewer and storm lines within the development and this easement will be privately maintained.
6. Identify Lingleville Hwy as a 120 ROW. Adjust the proposed site visibility easement (SVEs) at Lingleville Rd to account for future roadway conditions as widening of the roadway pavement would extend the 20x20 SVE further into the property.
7. Show the 25' utility easement at Lingleville to traverse the access drive.

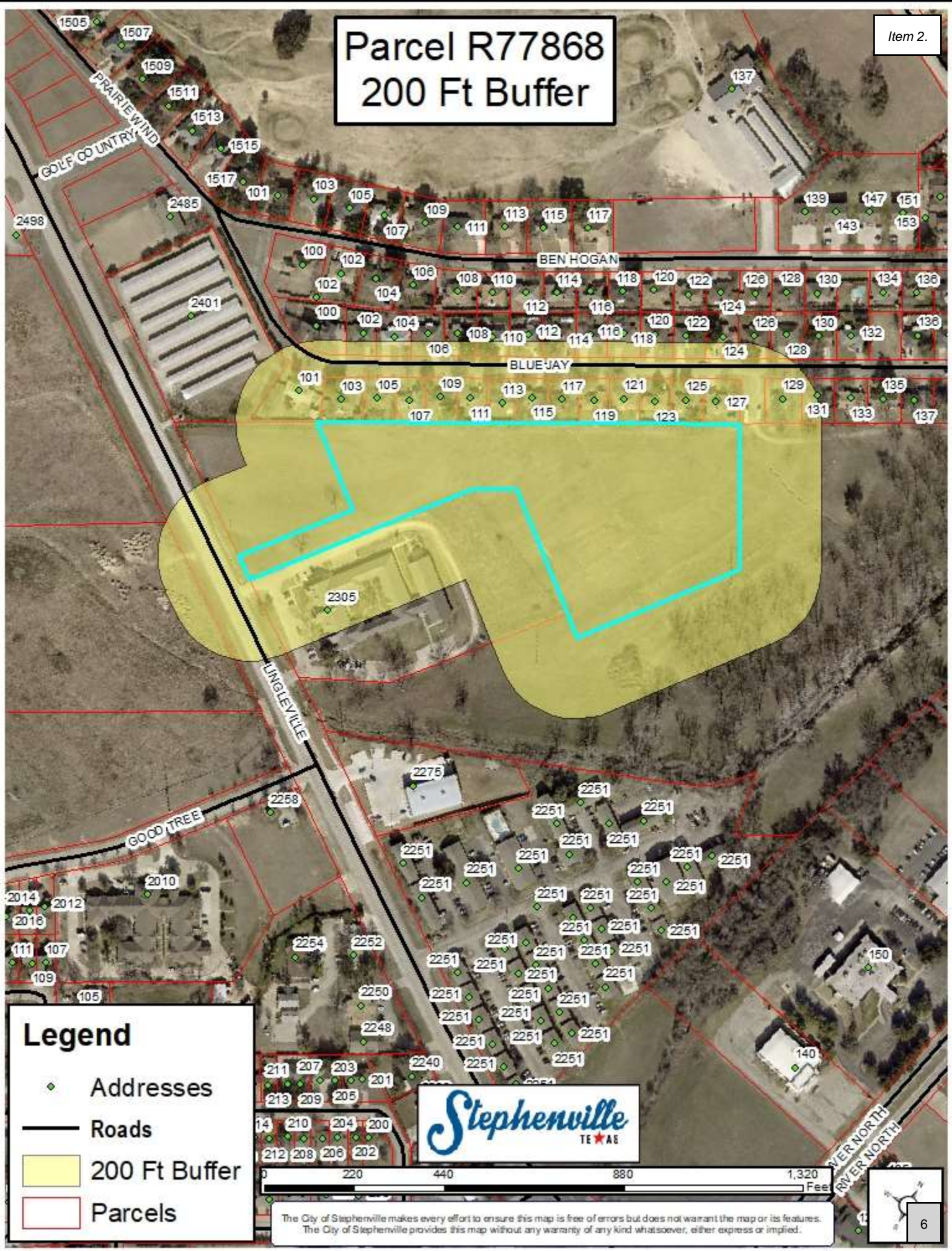
FACTORS TO CONSIDER:

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

ALTERNATIVES:

- 1) Approve the preliminary plat.
- 2) Approve the preliminary plat with conditions.
- 3) Disapprove the preliminary plat.

Parcel R77868 200 Ft Buffer



Legend

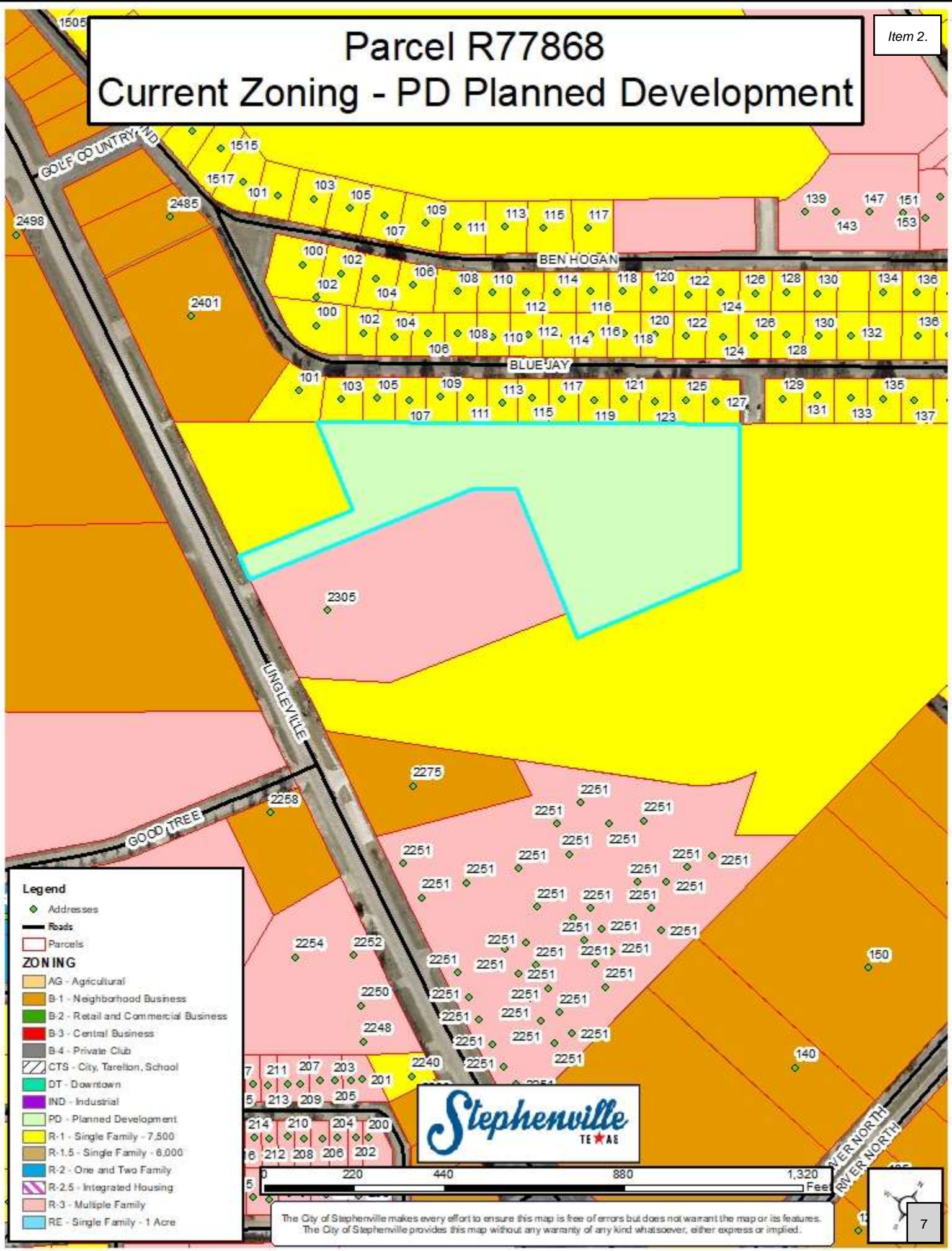
- ◆ Addresses
- Roads
- 200 Ft Buffer
- ▭ Parcels



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



Parcel R77868 Current Zoning - PD Planned Development



- 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, Tarellon, School
 - DT - Downtown
 - IND - Industrial
 - PD - Planned Development
 - R-1 - Single Family - 7,500
 - R-1.5 - Single Family - 6,000
 - R-2 - One and Two Family
 - R-2.5 - Integrated Housing
 - R-3 - Multiple Family
 - RE - Single Family - 1 Acre

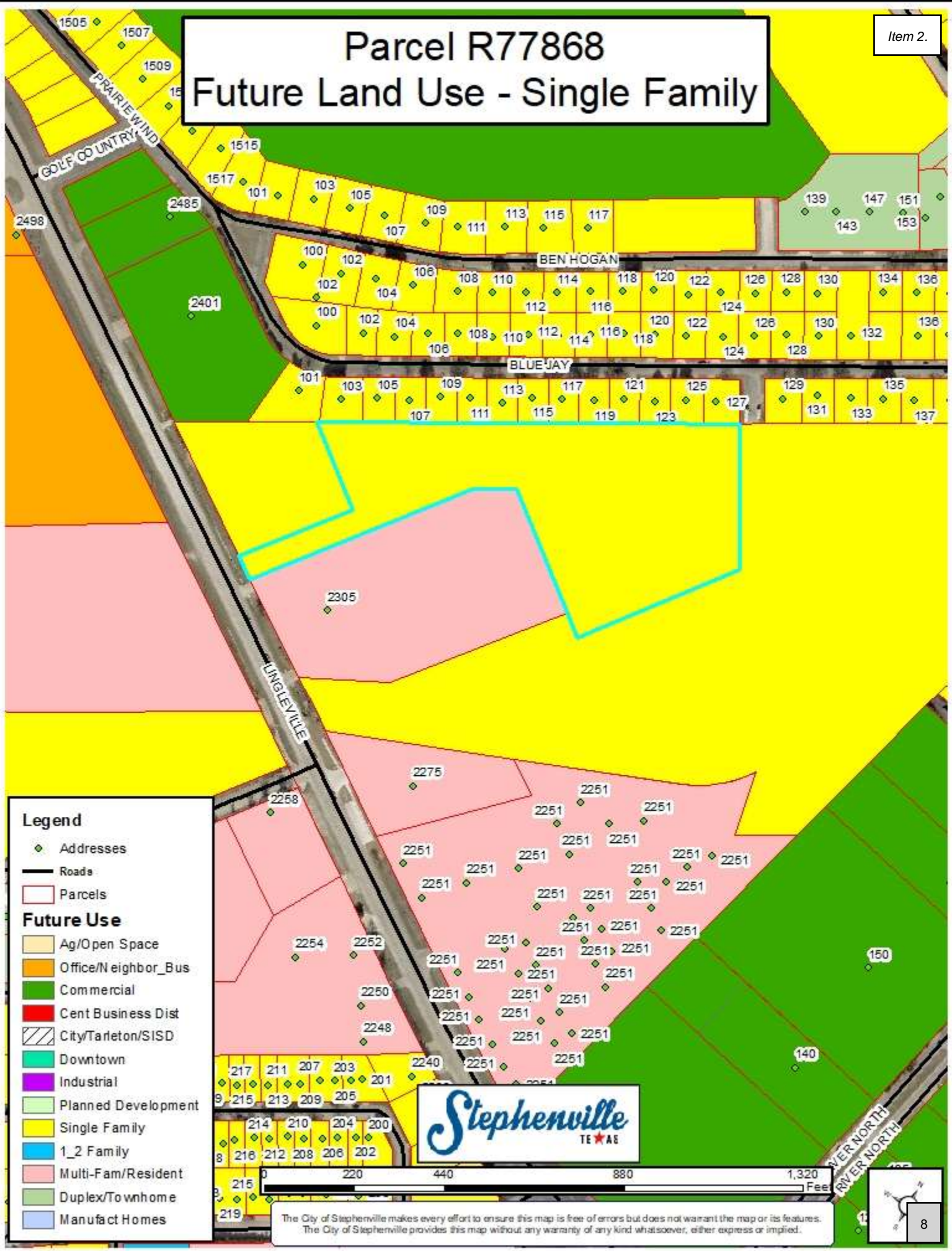


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Parcel R77868 Future Land Use - Single Family

Item 2.

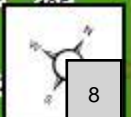


Legend

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

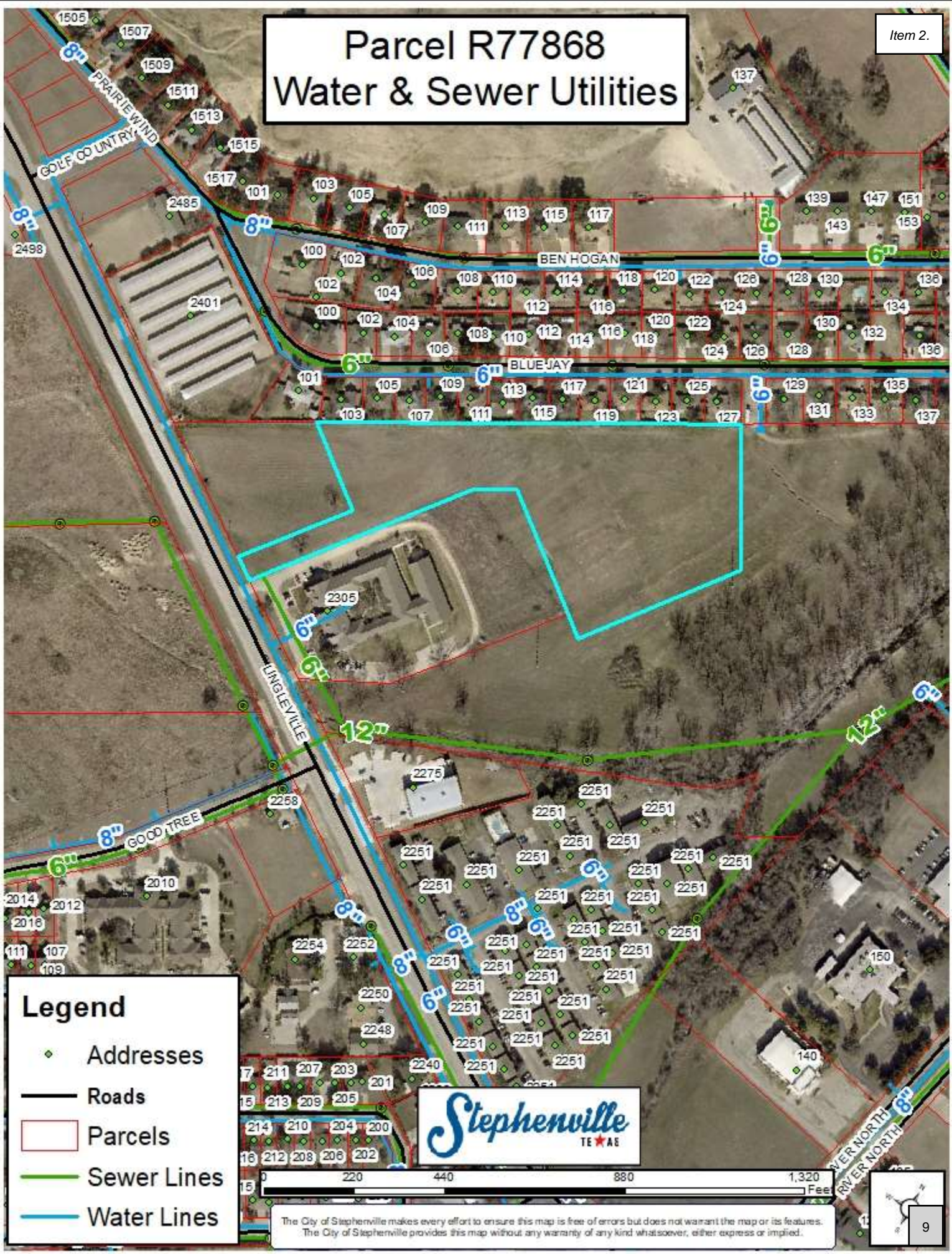


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Parcel R77868 Water & Sewer Utilities

Item 2.

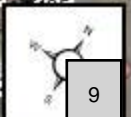


Legend

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



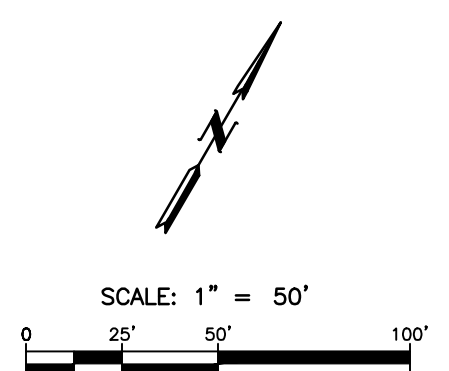
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Parcel R77868 Address List

Item 2.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000042841	117 BLUE JAY	ALLEN CALEB VAN & KRISTY RAE	117 BLUE JAY	STEPHENVILLE	TX	76401-5922
R000022557	0 W LINGLEVILLE RD	ALLEN REAL PROPERTIES LTD	PO BOX 953	STEPHENVILLE	TX	76401
R000031773	2401 W LINGLEVILLE RD	BACHUS JAMES O FAMILY TRUST	PO BOX 552	STEPHENVILLE	TX	76401-0552
R000042813	106 BLUE JAY	BOYLES PAMELA J	106 BLUE JAY	STEPHENVILLE	TX	76401
R000042835	101 BLUE JAY	BUCHER JAMES M & JANE E	101 BLUE JAY	STEPHENVILLE	TX	76401-5922
R000042819	118 BLUE JAY	CARLSON NORMAN E & BEVERLY A	118 BLUE JAY	STEPHENVILLE	TX	76401-0000
R000042824	128 BLUE JAY	CHESTER CAROLE S	128 BLUEJAY	STEPHENVILLE	TX	76401
R000042837	105 BLUE JAY	CORTA DOROTHY J & PETER J	105 BLUE JAY DR	STEPHENVILLE	TX	76401
R000022552	0 W LINGLEVILLE RD	COVENANT LEGACY LP	2915 W WASHINGTON	STEPHENVILLE	TX	76401
R000022552	0 W LINGLEVILLE RD	COVENANT LEGACY LP	2915 W WASHINGTON	STEPHENVILLE	TX	76401
R000042811	102 BLUE JAY	DAVIDSON DEL & JULIE	102 BLUE JAY	STEPHENVILLE	TX	76401
R000042822	124 BLUE JAY	DICKERSON SHERRY	124 BLUE JAY	STEPHENVILLE	TX	76401
R000042814	108 BLUE JAY	DREW VALERIE J	109 GREENVIEW DR	STEPHENVILLE	TX	76401
R000042847	129 BLUE JAY	EMMONS JOSH & ASHTON	129 BLUE JAY	STEPHENVILLE	TX	76401
R000042845	125 BLUE JAY	EVANS DONALD R LIVING TRUST	PO BOX 372	BLUFF DALE	TX	76433
R000063739	2305 W LINGLEVILLE RD	FRONTIER EXCHANGE LANDLORD GROUP LLC	4500 DORR ST	TOLEDO	OH	43615
R000042836	103 BLUE JAY	GRIMMER AARON & NIKOLE	103 BLUE JAY	STEPHENVILLE	TX	76401
R000042821	122 BLUE JAY	HENDRICKS KATHRYN J	122 BLUE JAY	STEPHENVILLE	TX	76401
R000042817	114 BLUE JAY	HILL CHARLES A & SANDRA K	114 BLUE JAY	STEPHENVILLE	TX	76401
R000042842	119 BLUE JAY	HIVELY CHRISTOPHER J & KIMBERLEE M HIVELY	12454 DAPPLE DR	RANCHO CUCAMONGA	CA	91739
R000042812	104 BLUE JAY	HODGES BILLY BOB & DONNA & HOLLY HODGES	18402 SHALLOW OAK CT	TOMBALL	TX	77377
R000042816	112 BLUE JAY	HODGES TERRY GLEN & REBECCA	112 BLUE JAY	STEPHENVILLE	TX	76401-0000
R000041981	107 BLUE JAY	HOLLOWAY LIVING TRUST	107 BLUE JAY ST	STEPHENVILLE	TX	76401
R000041982	109 BLUE JAY	HOWARD NETA FAYE (LIFE ESTATE)	109 BLUE JAY	STEPHENVILLE	TX	76401
R000022664	0 W LINGLEVILLE RD	IP KAM WOON	PO BOX 192	STEPHENVILLE	TX	76401-0000
R000042840	115 BLUE JAY	JAMES CAVIN & STACEY SHARON NOLAND (JAMES)	115 BLUE JAY	STEPHENVILLE	TX	76401
R000041983	111 BLUE JAY	KAISER MARK A & KIMBERLY	111 BLUE JAY DR	STEPHENVILLE	TX	76401-0000
R000041978	100 BLUE JAY	KOPLIN JEFFREY & LESLI KOPLIN	PO BOX 993	STEPHENVILLE	TX	76401
R000042838	113 BLUE JAY	MOSES COREY & KATHRYN	113 BLUE JAY	STEPHENVILLE	TX	76401
R000042844	123 BLUE JAY	PLANNERS EQUITY LP	181 S GRAHAM	STEPHENVILLE	TX	76401
R000042823	126 BLUE JAY	PORTER KELVIN B & KIMBERLY K ILEY	126 BLUE JAY	STEPHENVILLE	TX	76401
R000077868	0 W LINGLEVILLE RD	RETIREMENT LIVING FOR SENIORS LTD	PO BOX 3189	BRYAN	TX	77805
R000042818	116 BLUE JAY	SMITH RANDY & KELLY	116 BLUE JAY	STEPHENVILLE	TX	76401-0000
R000042843	121 BLUE JAY	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000042846	127 BLUE JAY	TRAINHAM SUSAN	PO BOX 139	LINGLEVILLE	TX	76461
R000042815	110 BLUE JAY	TROTTER MABEL L	126 BEN HOGAN DR	STEPHENVILLE	TX	76401-5915



S.V.E. CURVE TABLE

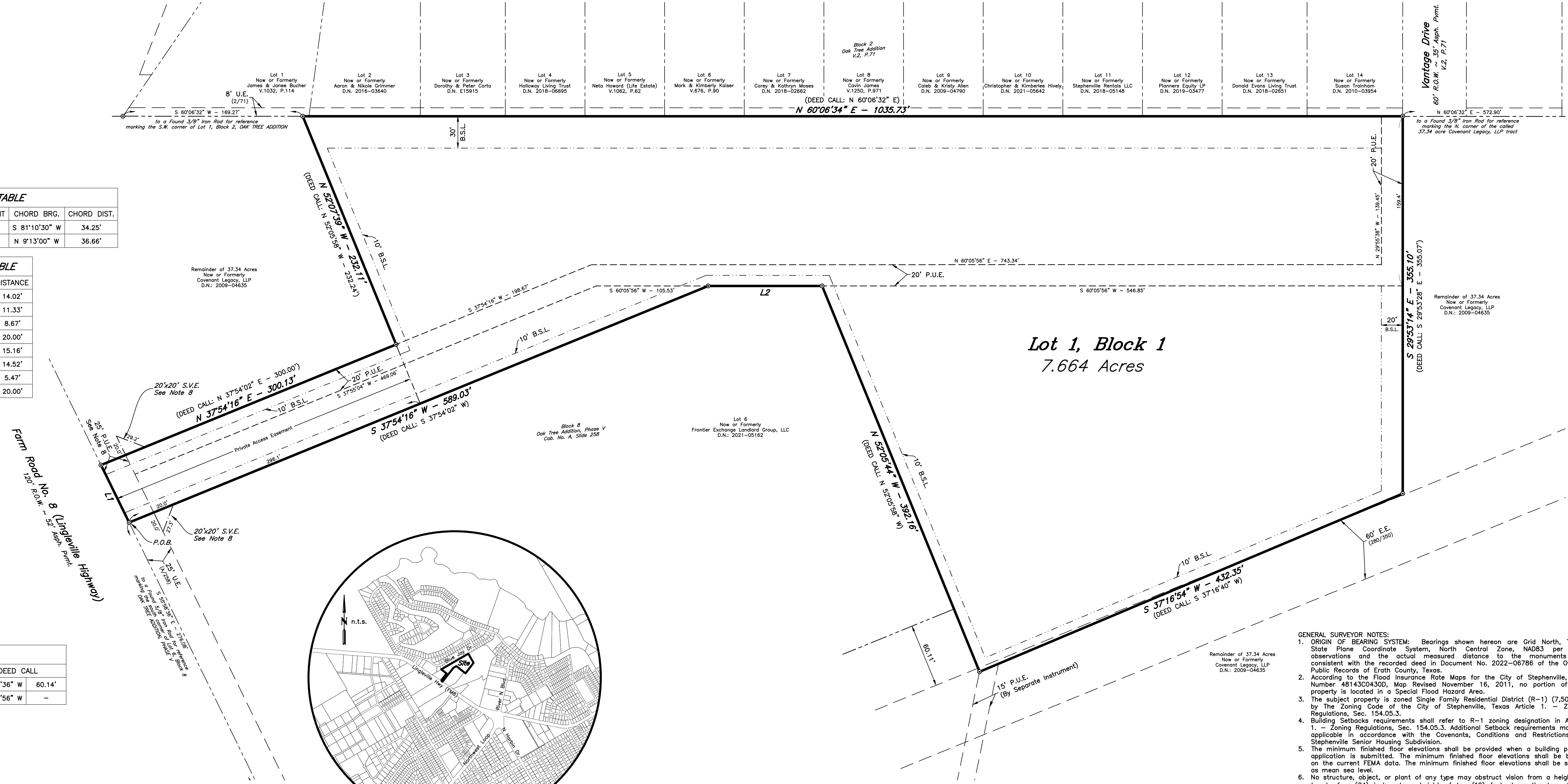
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	86°27'48"	25.00'	37.73'	23.50'	S 81°10'30" W	34.25'
C2	94°19'12"	25.00'	41.15'	26.96'	N 9°13'00" W	36.66'

S.V.E. LINE TABLE

LINE	BEARING	DISTANCE
L3	S 55°55'51" E	14.02'
L4	N 37°56'36" E	11.33'
L5	S 37°56'36" W	8.67'
L6	N 55°57'58" W	20.00'
L7	N 55°58'36" W	15.16'
L8	N 37°56'36" E	14.52'
L9	S 37°56'36" W	5.47'
L10	N 55°57'58" W	20.00'

LINE TABLE

LINE	BEARING	DISTANCE	DEED CALL
L1	N 55°57'58" W	60.25'	N 55°58'36" W 60.14'
L2	S 60°06'10" W	107.22'	S 60°05'56" W -



APPROVED AND ACCEPTED

DIRECTOR OF DEVELOPMENT SERVICES

ATTEST CITY SECRETARY

DATE

CERTIFICATION OF THE SURVEYOR

STATE OF TEXAS
COUNTY OF BRAZOS

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground, and that the metes and bounds describing said subdivision will describe a closed geometric form.

Gregory Hopcus, R.P.L.S. No. 6047

STATE OF TEXAS
COUNTY OF ERATH

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

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

Notary Public, Erath County, Texas

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, RETIREMENT LIVING FOR SENIORS, LTD., acting by and through the undersigned, its duly authorized agent, does hereby adopt this plat designated herein above described property as Lot 1, Block 1, STEPHENVILLE SENIOR HOUSING SUBDIVISION, an addition in the City of Stephenville, Erath County, Texas, and do hereby dedicate the rights of way and easements shown hereon to the public's use unless otherwise noted.

The easements shown hereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same. Any, and all public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstruction, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

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

Witness under my hand _____ day of _____, 2022.
By: Retirement Living For Seniors, Ltd.

Elaina D. Glockzin

FIELD NOTES

Being all that certain tract or parcel of land lying and being situated in the JARRETT MENEFFEE SURVEY, Abstract No. 520, in Stephenville, Erath County, Texas and being all of the called 7.664 acre tract described in the deed from Covenant Legacy, L.P. to Retirement Living For Seniors, Ltd. recorded in Document No. 2022-06786 of the Official Public Records of Erath County, Texas (O.P.R.E.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 3/8-inch iron rod marking the south corner of this herein described tract, said iron rod also marking the west corner of Lot 6, Block 8, OAK TREE ADDITION, PHASE V according to the Final Plat recorded in Cabinet No. A, Side 258 (O.P.R.E.C.) and being in the northeast right-of-way line of Lingleville Highway (based on a 120-foot width), said highway also known as Farm Road No. 8, from whence a found 5/8-inch iron rod marking the south corner of the said Lot 6, Block 8, OAK TREE ADDITION, PHASE V bears S 55°58'36" E at a distance of 276.08 feet for reference;

THENCE: N 55°57'58" W (DEED CALL: N 55°58'36" W - 60.14') along the northeast right-of-way line of said Lingleville Highway for a distance of 60.25 feet to a found 1/2-inch iron rod marking the most southerly west corner of this tract;

THENCE: along the common line of this tract and the remainder of the called 37.34 acre Covenant Legacy, LLP tract recorded in Document No. 2009-04635 (O.P.R.E.C.) for the following two (2) calls:

- 1) N 37°54'16" E (DEED CALL: N 37°54'02" E - 300.00') for a distance of 300.13 feet to a found 1/2-inch iron rod marking an interior east corner of this tract, and
- 2) N 52°07'39" W (DEED CALL: N 52°05'58" W - 232.24') for a distance of 232.11 feet to a found 1/2-inch iron rod marking the most northerly west corner of this tract, said iron rod also being in the southeast line of Lot 1, Block 2, OAK TREE ADDITION according to the Final Plat recorded in Volume 2, Page 71 (P.R.E.C.), from whence a found 3/8-inch iron rod marking the southwest corner of the said Lot 1, Block 2, OAK TREE ADDITION bears S 60°06'32" E at a distance of 169.27 feet for reference;

THENCE: N 60°06'34" E (DEED CALL: N 60°06'32" E) along the common line of this tract and said OAK TREE ADDITION for a distance of 1,035.73 feet to a found 1/2-inch iron rod marking the north corner of this herein described tract, said iron rod also being in the southeast right-of-way line of Vantage Drive (based on a 60-foot width), from whence a found 3/8-inch iron rod marking the north corner of the called 37.34 acre Covenant Legacy, LLP remainder tract bears N 60°06'32" E at a distance of 572.90 feet for reference;

THENCE: into and through the called 37.34 acre Covenant Legacy, LLP remainder tract and along the common line of this tract and the said Lot 6, Block 8, OAK TREE ADDITION, PHASE V for the following five (5) calls:

- 1) S 29°53'14" E (DEED CALL: S 29°53'28" E - 355.07') for a distance of 355.10 feet to a found 1/2-inch iron rod marking the east corner of this tract,
- 2) S 37°16'54" W (DEED CALL: S 37°16'40" W) for a distance of 432.35 feet to a found 1/2-inch iron rod marking the most easterly south corner of this tract,
- 3) N 52°05'44" W (DEED CALL: N 52°05'58" W) for a distance of 392.16 feet to a found 1/2-inch iron rod marking an angle corner of this tract, said iron rod also marking the north corner of the said Lot 6, Block 8, OAK TREE ADDITION, PHASE V,
- 4) S 60°06'10" W (DEED CALL: S 60°05'56" W) for a distance of 107.22 feet to a found 1/2-inch iron rod marking an angle corner of this tract, and
- 5) S 37°54'16" W (DEED CALL: S 37°54'02" W) for a distance of 589.03 feet to the POINT OF BEGINNING and containing 7.664 acres of land.

GENERAL SURVEYOR NOTES:

- ORIGIN OF BEARING SYSTEM: Bearings shown hereon are Grid North, Texas State Plane Coordinate System, North Central Zone, NAD83 per GPS observations and the actual measured distance to the monuments are consistent with the recorded deed in Document No. 2022-06786 of the Official Public Records of Erath County, Texas.
- According to the Flood Insurance Rate Maps for the City of Stephenville, Map Number 48143C0430D, Map Revised November 16, 2011, no portion of this property is located in a Special Flood Hazard Area.
- The subject property is zoned Single Family Residential District (R-1) (7,500 ft) by The Zoning Code of the City of Stephenville, Texas Article 1 - Zoning Regulations, Sec. 154.05.3.
- Building setbacks requirements shall refer to R-1 zoning designation in Article 1 - Zoning Regulations, Sec. 154.05.3. Additional setback requirements may be applicable in accordance with the Covenants, Conditions and Restrictions for Stephenville Senior Housing Subdivision.
- 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.
- No structure, object, or plant of any type may obstruct vision from a height of twenty-four (24) inches to a height of ten (10) feet above the top of the curb, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the sight visibility easement as shown on the Plat. These sight visibility easements will remain in effect until vacated by ordinance adopted by the City Council and the property reported.
- Screening will be provided in the setback area consisting of landscaping and fencing.
- No vertical structures or signs are to be placed in the 25' P.U.E. or S.V.E. near FM 8.
- Unless otherwise indicated 1/2" Iron Rods are set at all corners.
 - ⊙ - 1/2" Iron Rod Found
 - ⊙ - 3/8" Iron Rod Found

8. Abbreviations:

- B.S.L. - Building Setback Line
- D.N. - Document Number
- E.E. - Electrical Easement
- P.O.B. - Point of Beginning
- P.U.E. - Public Utility Easement
- S.V.E. - Sight Visibility Easement
- U.E. - Utility Easement

PRELIMINARY PLAT

**STEPHENVILLE
SENIOR HOUSING
SUBDIVISION**

7.664 ACRES
LOT 1, BLOCK 1, 1 TOTAL LOT

JARRETT MENEFFEE SURVEY, A-520
STEPHENVILLE, ERATH COUNTY, TEXAS

SEPTEMBER, 2022
SCALE: 1" = 50'

Owner: Retirement Living For Seniors, Ltd.
P.O. Box 3189
Bryan, Texas 77805

Surveyor: Texas Firm Registration No. 10103300
McClure & Browne Engineering/Surveying, Inc.
1008 Woodcreek Dr., Suite 103
College Station, Texas 77845
(979) 693-3838

MB



STAFF REPORT

SUBJECT: Case No.: RZ2022-021

Applicant Ophelia Mosbey, representing Moways Communications, LLC, is requesting a rezone of property located at 0 College Farm Rd, Parcel R77880, being 0.809 acres of CITY ADDITION; BLOCK 91; LOT 1(P.T OF) of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Industrial (I) to Multifamily Residential District (R-3).

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

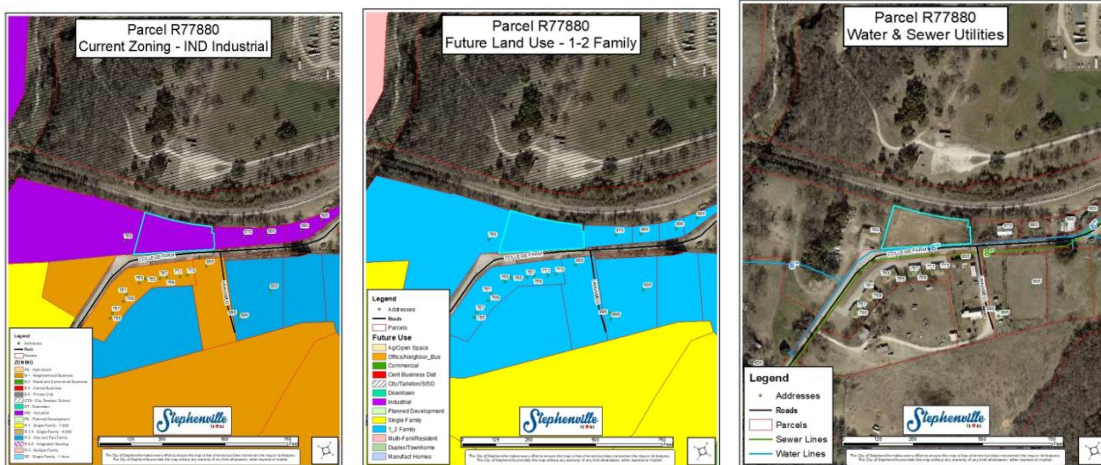
RECOMMENDATION:

The Planning and Zoning Commission convened on October 19, 2022, and by a vote of 4-1-1, recommended the City Council approve the rezoning request. The property was acquired shortly after the Planning and Zoning Commission meeting and before review by City Council. As a result, the legal description was changed, negating the actions of the Commission. The case is being resubmitted for consideration.

BACKGROUND:

The property has Current zoning of I, Industrial District. The Future Land Use is designated as R-2, One and Two-Family Residential District. The rezone is requested for a future multifamily project.

PROPERTY PROFILE:



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

5.6.A Description. This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes platted as one parcel and sole source management. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so

as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well-being of the intended district environment.

5.6.B Permitted Uses.

- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
- (2) Two-to-four family dwellings, with each family limited as in division (1) above;
- (3) Multiple family dwellings, with each family limited as in division (1) above; Student living complexes will be subject to a variance request for units designed to occupy more than three unrelated students per unit;
- (4) Assisted living center;
- (5) Convalescent, nursing or long term-care facility;
- (6) Retirement housing complex;
- (7) Accessory buildings;
- (8) Churches, temples, mosques and related facilities;
- (9) Community home;
- (10) Park or playground;
- (11) SISD school—public;
- (12) Bed and breakfast/boarding house;
- (13) Group day care home;
- (14) Registered family home;
- (15) Day care center; and
- (16) Fraternity or sorority house.

5.6.C Conditional Uses.

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

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

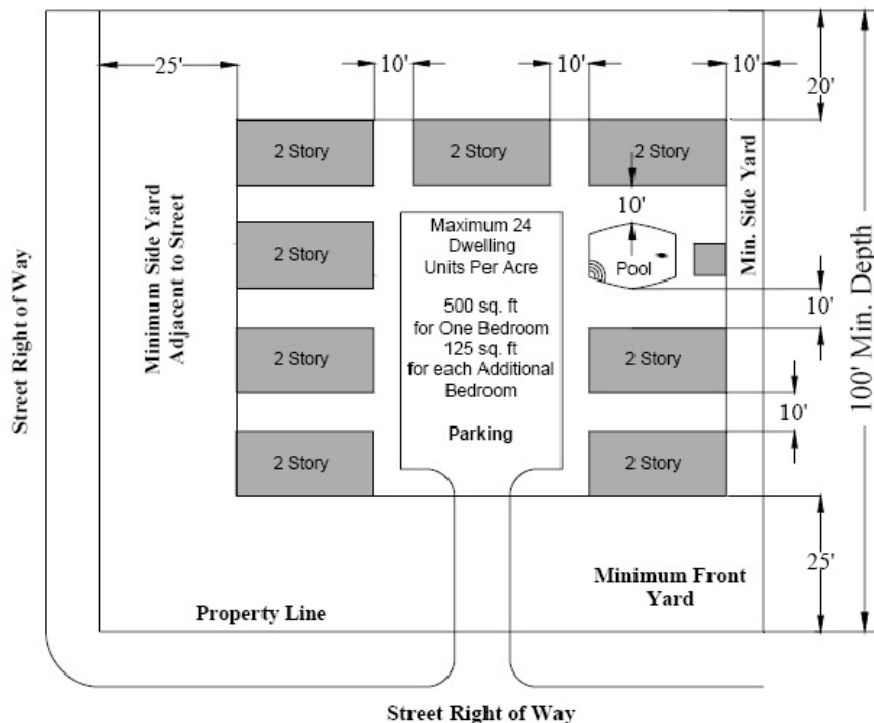
- (D) *Multiple family dwellings.*
 - (1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
 - (2) Minimum lot depth: 100 feet.
 - (3) Minimum depth of front setback: 25 feet.
 - (4) Minimum depth of rear setback: 20 feet.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

- (6) Building size: Minimum area of each dwelling unit: 500 ft² for one bedroom or less plus 125 ft² of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

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

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

Multiple Family Dwelling



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

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?

- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

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

Parcel R77880 200 Ft Buffer



Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels



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Parcel R77880 Current Zoning - IND Industrial

Item 3.



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, Tarellon, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

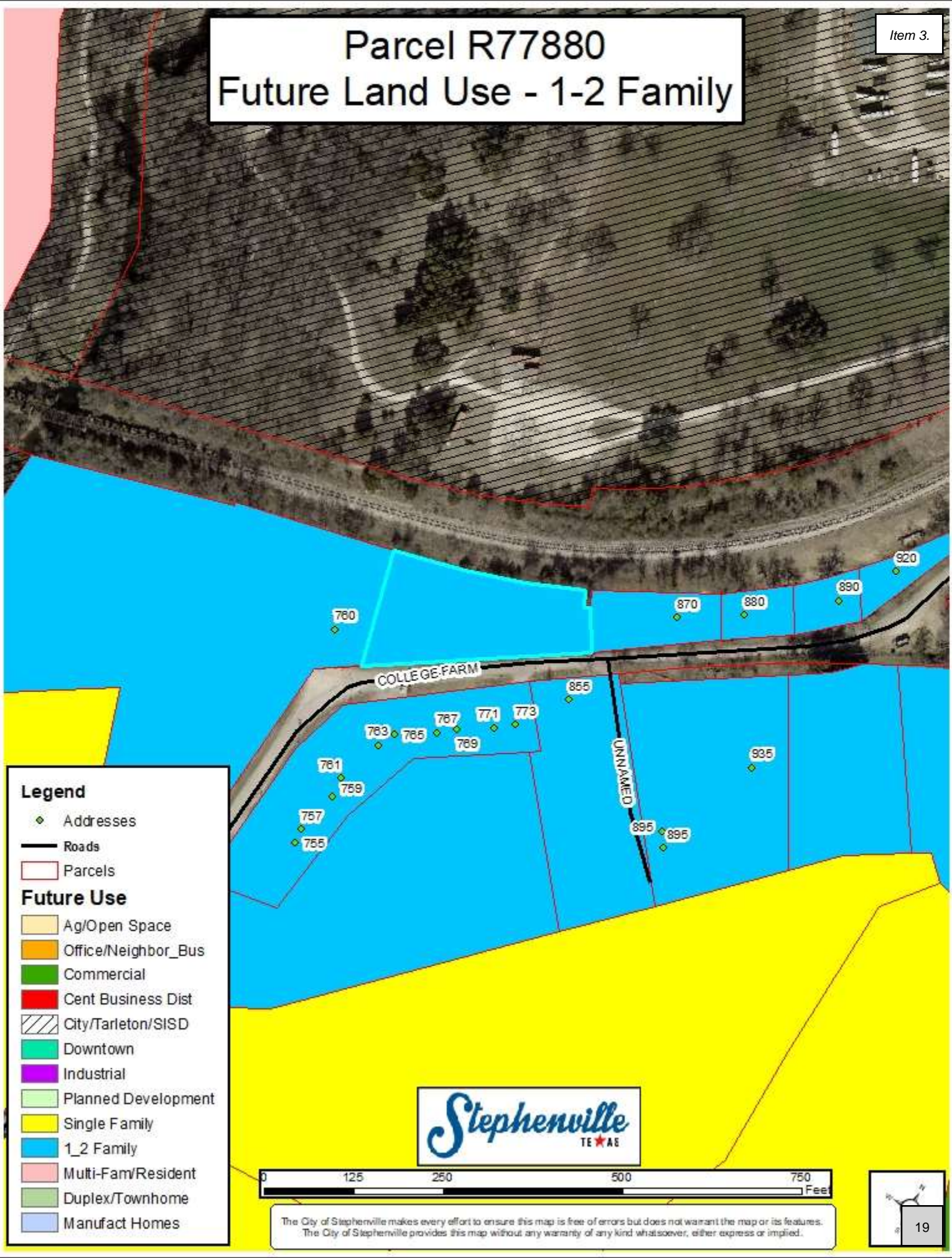


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Parcel R77880

Future Land Use - 1-2 Family

Item 3.



Legend

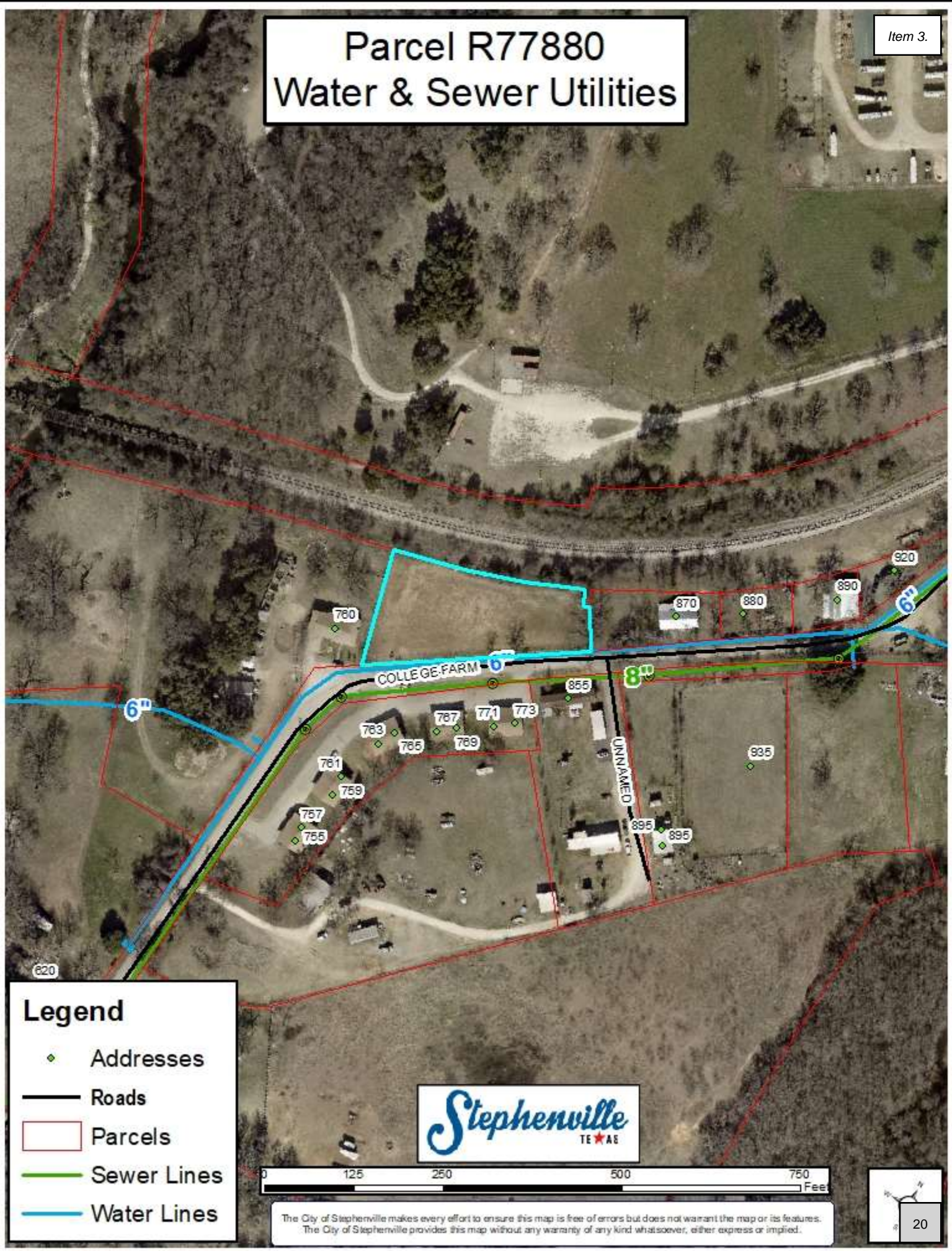
- ◆ Addresses
- Roads
- ▭ Parcels
- Future Use**
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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Parcel R77880 Water & Sewer Utilities

Item 3.



Legend

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



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Parcel R77880 Address List

Item 3.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029922	755 COLLEGE FARM RD	BACHUS JAMES O FAMILY TRUST	PO BOX 552	STEPHENVILLE	TX	76401
R000042780	1500 COLLEGE FARM	BOARD OF REGENTS OF THE TX A&M UNIVERSITY SYSTEM	301 TARROW STREET 6TH FLOOR	COLLEGE STATION	TX	77840-7896
R000014966	0 N PADDOCK & VANDERBILT	FORT WORTH & WESTERN RAILROAD	6300 RIDGLEA PLACE STE 1200	FORT WORTH	TX	76116-5738
R000040797	895 COLLEGE FARM RD	GALE RONALD	895 COLLEGE FARM RD APT 11	STEPHENVILLE	TX	76401
R000077880	0 COLLEGE FARM RD	MOWAYS COMMUNICATIONS LLC	1319 BELHAM RIDGE CT	SPRING	TX	77379
R000072743	855 COLLEGE FARM RD	OXFORD WILLIAM H	159 S GRAHAM	STEPHENVILLE	TX	76401
R000029923	0 COLLEGE FARM RD	OXFORD WILLIAM H	PO BOX1298	STEPHENVILLE	TX	76401
R000029950	760 COLLEGE FARM RD	REED DEBORAH	760 COLLEGE FARM RD	STEPHENVILLE	TX	76401
R000029948	880 COLLEGE FARM RD	RUST WADE	524 PR1709	GORDON	TX	76453
R000029945	870 COLLEGE FARM RD	STEWART DENNY J	870 COLLEGE FARM RD	STEPHENVILLE	TX	76401

PROJECT PROPOSAL FOR:
TBD COLLEGE FARM RD.
STEPHENVILLE, TX 76401

September 27th 2022

To whom it may concern:

The project proposal for (TBD) College Farm Rd is to build multi unit family dwellings for rental, that will accommodate students and local residents in the Stephenville areas. Our goal is to provide affordable living with quality amenities. We are looking forward to being a productive member the Stephenville community.

Sincerely Yours,

MoWays Communications, LLC

Elmer Mosbey



Ophelia Mosbey





STAFF REPORT

SUBJECT: Case Nos.: RZ2022-026 and PP2022-002

Applicant Casey Raitz, representing RF Land Holdings, LLC, is requesting a rezone with simultaneous approval of the Preliminary Plat for property located at 0 E Collins Street, Parcel R29629, being 5.29 acres of CITY ADDITION, BLOCK 65, LOT 1 (Pt. OF) of the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Single Family Residential District (R-1)

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

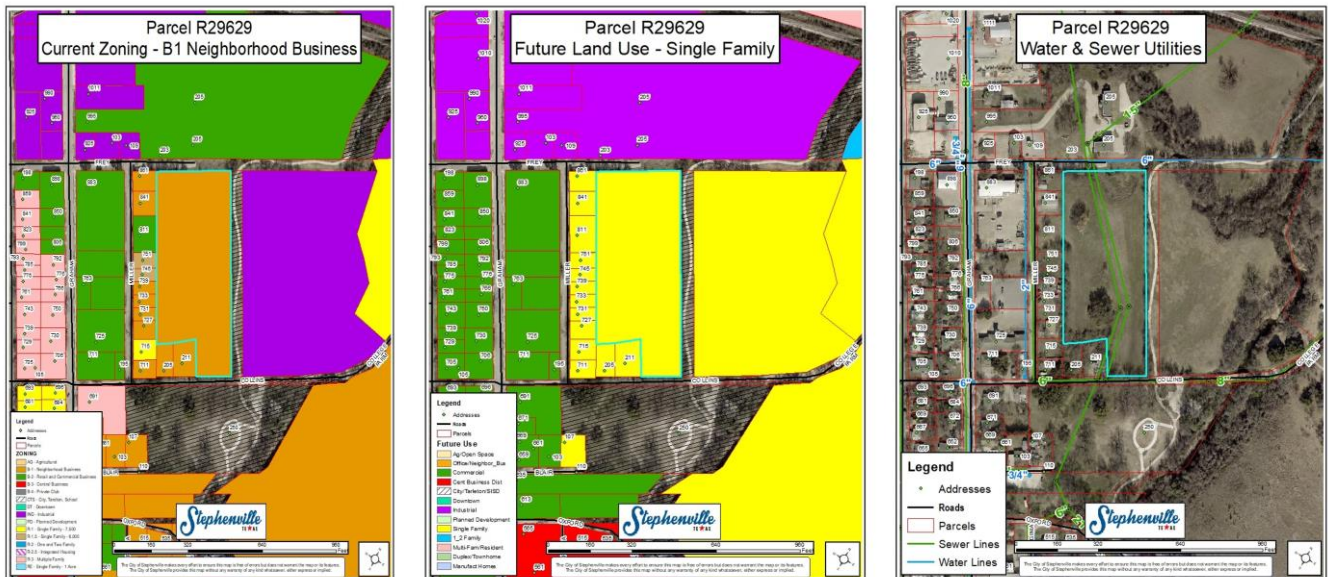
RECOMMENDATION:

The Comprehensive Plan for future land use designates this property to be Single Family Residential.

BACKGROUND:

Applicant is requesting the simultaneous consideration of the rezone and preliminary plat of the property. Recent rezoning cases in the vicinity have been approved resulting in residential construction along Miller Street. The property has two 15" sanitary sewer lines traversing the property that will require easements remain dedicated to the city. Vertical construction within these easements will be prohibited.

PROPERTY PROFILE:



STAFF COMMENTS:

Should the rezone be recommended for approval, staff requests the Preliminary Plat be approved with the following conditions:

1. Provide 20'x20' triangular sight visibility easements on each side of Callum's Circle.
2. Show front, side and rear setbacks.
3. Identify Callum's Circle as private road and privately maintained.
4. Confirm Cul de Sac is 96' diameter.
5. Confirm easement for sewer is dedicated to COS. Verify the Shared Access & Utility Easement encompassed all of Lot 10.
 - a. Municipal Utility Easement required to encompass both existing 15" sewer lines through Lot 9.
 - b. Water line extension required from Frey to Collins. Municipal Utility Easement required to encompass proposed water line through Lot 9.
6. Show ROW for E Collins as a Collector having a min. 70' ROW. Additional dedication will be required, unless waiver request is granted.
7. Identify as Lot 10 as common area (possibly same for Lot 9), to be maintained by HOA.
8. Establish HOA.
9. Floodplain Easement to encompass 100-yr floodplain plus 10' buffer. Statement of restrictions to be placed on face plat. (ORD. Sec. 155.6.08.C.)

Sec. 155.4.03. General subdivision and platting procedures.

- A. *Plats Required for Land Subdivision.* A Preliminary Plat or Minor Plat shall be approved prior to any land division that is subject to these regulations and prior to commencement of any new development.
- B. *Replats and Amending Plats.*
 1. *Replat.* A Replat, in accordance with State law, and the provisions of Section 4.08 shall be required any time a platted, recorded lot is further divided or expanded, thereby changing the boundary and dimensions of the property.
 2. *Amending Plat.* In the case of minor revisions to recorded Plats or lots, an Amending Plat may also be utilized if in accordance with Section 4.09.
- C. *Zoning.*
 1. *Conformance with Existing Zoning.* All Applications shall be in conformance with the existing zoning on property inside the City Limits.
 2. *Request to Rezone First.* If an Applicant seeks to amend the zoning for the property, the request to rezone the land shall be submitted and approved prior to acceptance of an Application for filing of a plat, unless as otherwise provided below.
 - a. The Applicant may request approval from the City Administrator to submit an application simultaneous with the zoning change request, in which case the Application for the zoning amendment shall be acted upon first, provided that the Application is accompanied by a properly executed Waiver of Right to 30-Day Action (due to the more lengthy time frame necessary to advertise and process zoning Applications).
 - b. In the event that the requested zoning amendment is denied, the Plat Application shall also be rejected or denied.

Sec. 154.05.3. Single-family residential district (R-1) (7,500 ft²).

5.3.A Description. This residential district provides for a generally lesser density city neighborhood development. The primary land use allows for single-family dwelling development appropriate to a city-style neighborhood. Other uses within this district shall contribute to the nature of the neighborhood. Development within this district is intended to

be separate from and protected from the encroachment of land activities that do not contribute to the esthetic and functional well-being of the intended district environment.

5.3.B Permitted Uses.

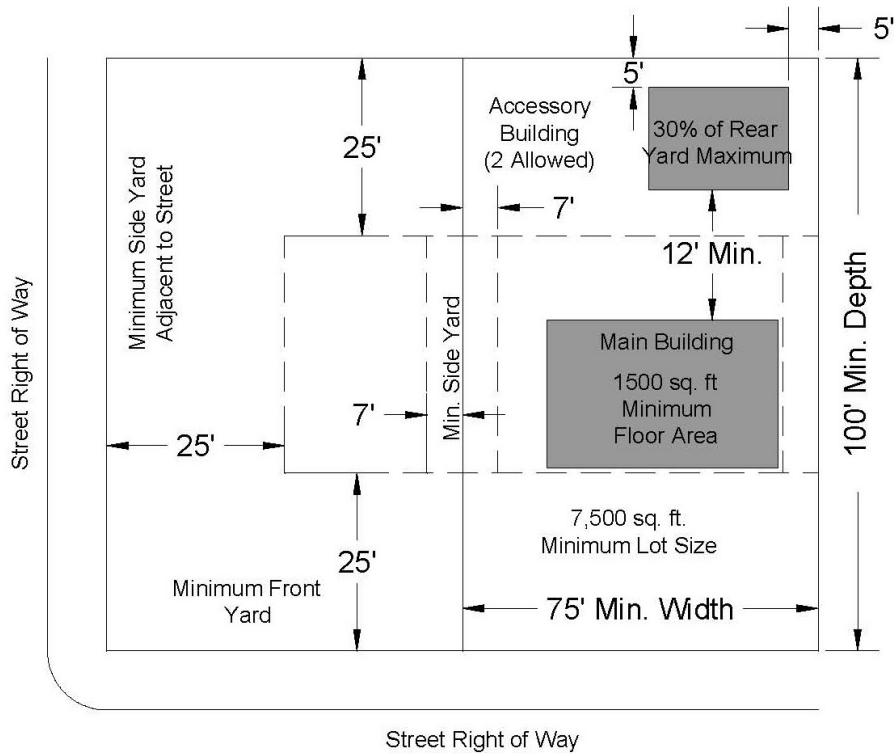
- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage, or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing,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

5.3.C Conditional Uses.

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

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

- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 7,500 ft².
- (3) Minimum lot width and lot frontage: 75 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: seven feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,500 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory buildings coverage of rear yard: 30%.
 - (b) Maximum number of accessory buildings: two.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

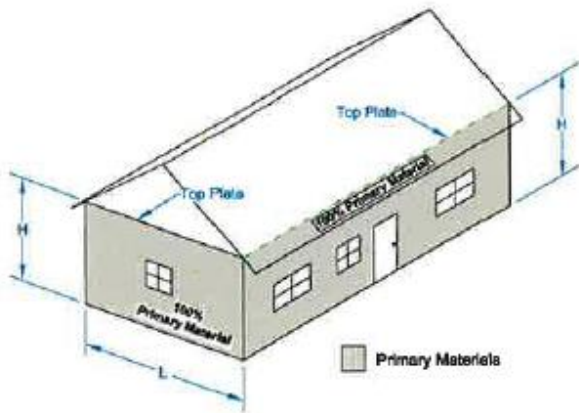


5.3.E Parking Regulations. A Single-Family, R-1 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.3.F Type of Construction.

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

5.3.F Exterior Building Material Standards



NEW CONSTRUCTION

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

EXISTING STRUCTURES

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

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

ALTERNATIVES:

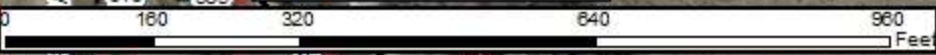
- 1) Recommend the City Council approve the rezoning request and the preliminary plat.
- 2) Recommend the City Council deny the rezoning request and the preliminary plat.

Parcel R29629 200 Ft Buffer



Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels



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Parcel R29629 Current Zoning - B1 Neighborhood Business



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

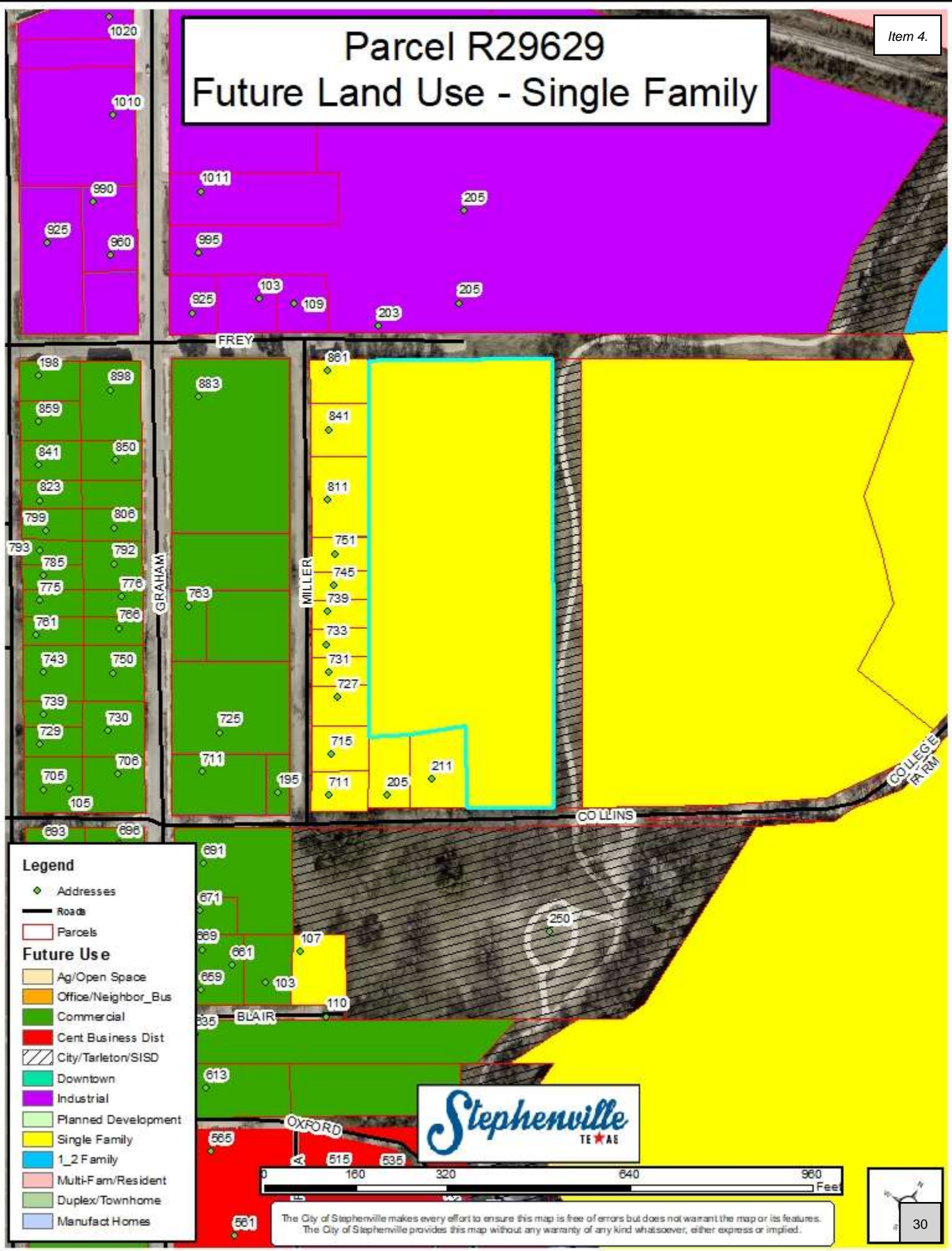
ZONING

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



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Parcel R29629 Future Land Use - Single Family



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



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Parcel R29629 Water & Sewer Utilities

Item 4.



Legend

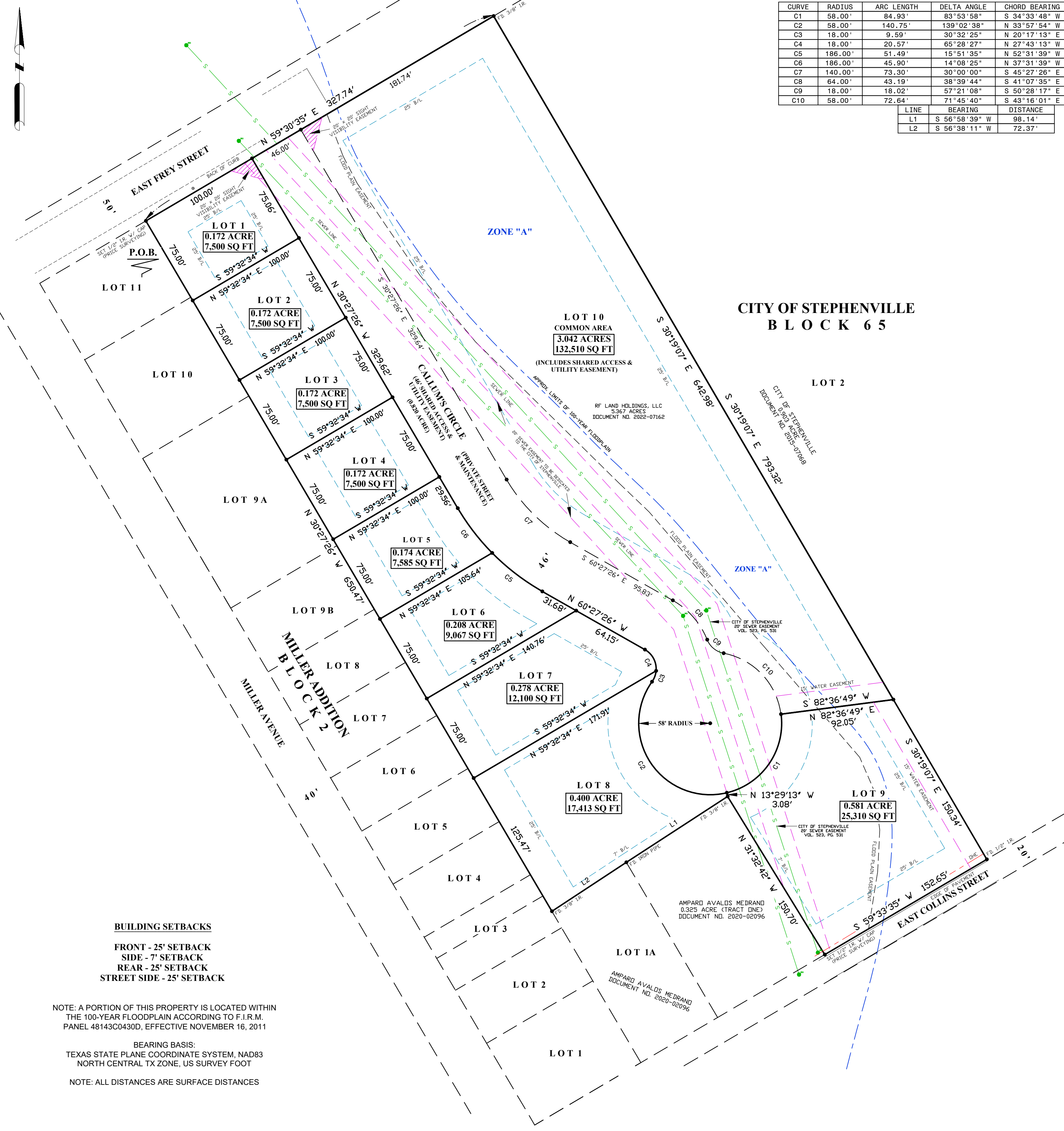
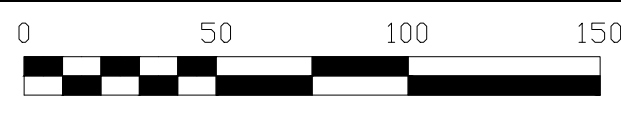
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- Water Lines

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Parcel R29629 Address List

Item 4.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029970	109 E FREY	BACHUS JAMES O FAMILY TRUST	PO BOX 552	STEPHENVILLE	TX	76401-0552
R000029969	103 E FREY	BACHUS JAMES O FAMILY TRUST	PO BOX 552	STEPHENVILLE	TX	76401-0552
R000032525	727 N MILLER	BENHAM WANDA	553 TIMBERWOLF TRAIL	STEPHENVILLE	TX	76401
R000032517	711 N GRAHAM	BOUCHER DAVID	400 TIMBER RIDGE DR	STEPHENVILLE	TX	76401
R000063036	0 E COLLINS	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000075699	0 E COLLINS ST	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000075698	0 E COLLINS ST	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029966	205 E FREY	CTMS INC	PO BOX 1457	STEPHENVILLE	TX	76401
R000032523	711 MILLER	GUERRERO GUADALUPE	660 CR 260	DUBLIN	TX	76446
R000032531	751 MILLER	GUYNN TARA	751 N MILLER	STEPHENVILLE	TX	76401
R000032532	841 MILLER	HARRIS DALE & DEBBY	102 WILLOW LANE	STEPHENVILLE	TX	76401
R000032518	725 N GRAHAM	HARRIS METHODIST ERATH CO	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
R000062853	0 MILLER	HARRIS PROFESSIONAL BUILDING CORP	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
R000032521	787 N GRAHAM	HARRIS PROFESSIONAL BUILDING CORP	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
R000032516	195 COLLINS	KOHO JENNY BARRETT	195 COLLINS	STEPHENVILLE	TX	76401
R000032530	811 MILLER	MATAI MAURO CONCEICAO	1361 ROSE DR	STEPHENVILLE	TX	76401
R000029630	205 COLLINS	MEDRANO AMPARO AVALOS	608 E LONG	STEPHENVILLE	TX	76401
R000040206	211 E COLLINS	MEDRANO AMPARO AVALOS	608 E LONG	STEPHENVILLE	TX	76401
R000032533	861 MILLER	METHODIST CHURCH	861 N MILLER	STEPHENVILLE	TX	76401-0000
R000032528	739 MILLER	NAVARRO JOSE JUIS, RAUL, & MARIA TERESA VILLAREAL	739 N MILLER ST	STEPHENVILLE	TX	76401
R000032522	883 N GRAHAM	ONCOR ELECTRIC DELIVERY CO LLC	PO BOX 219071	DALLAS	TX	75221-9071
R000032524	715 MILLER	PRESCHER CUSTOM HOMES LLC	10049 ELDORADO DR	BURLESON	TX	76028
R000029629	0 E COLLINS ST	RF LAND HOLDINGS LLC	1111 N GRAHAM ST	STEPHENVILLE	TX	76401
R000032526	731 MILLER	VILLAREAL RAUL NAVARRO	739 N MILLER ST	STEPHENVILLE	TX	76401
R000032527	733 MILLER	VILLAREAL RAUL NAVARRO	739 N MILLER ST	STEPHENVILLE	TX	76401
R000063085	0 COLLEGE FARM RD	VLB%DAVENEL DEBRA J	620 COLLEGE FARM RD	STEPHENVILLE	TX	76401
R000032529	745 MILLER	WAKELAND REJEANA D & STEVEN J WAKELAND	1099 PIERCE RD	RED OAK	TX	75154



CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	58.00'	84.93'	83°53'58"	S 34°33'48" W	77.54'
C2	58.00'	140.75'	139°02'38"	N 33°57'54" W	108.67'
C3	18.00'	9.59'	30°32'25"	N 20°17'13" E	9.48'
C4	18.00'	20.57'	65°28'27"	N 27°43'13" W	19.47'
C5	186.00'	51.49'	15°51'35"	N 52°31'39" W	51.32'
C6	186.00'	46.90'	14°08'25"	N 37°31'39" W	45.79'
C7	140.00'	73.30'	30°00'00"	S 45°27'26" E	72.47'
C8	64.00'	43.19'	38°59'44"	S 41°07'35" E	42.37'
C9	18.00'	18.02'	87°21'08"	S 50°28'17" E	17.27'
C10	58.00'	72.64'	71°45'40"	S 43°16'01" E	67.99'

LINE	BEARING	DISTANCE
L1	S 56°58'39" W	98.14'
L2	S 56°38'11" W	72.37'

LAND DESCRIPTION

Of a 5.37 acres tract of land, being part of Lot 1 in Block 65 of the City of Stephenville, Erath County, Texas, as shown on King's 1956 Map of Stephenville, adoption and dedication thereof recorded in Volume 381, Page 105 of the Deed Records of Erath County, Texas; being all of a certain 5.367 acres tract deeded to RF Land Holdings, LLC in Document No. 2022-07162 of the Official Public Records of Erath County, Texas; and being further described by metes and bounds as follows:

Beginning at a set 1/2" iron rod with cap (PRICE SURVEYING) in the south line of East Frey Street and at the northeast corner of Lot 11 in Block 2 of Miller Addition to the City of Stephenville, for the northwest and beginning corner of this tract.

Thence with the south line of said East Frey Street, N. 59 deg. 30 min. 35 sec. E. 327.74 feet to a found 3/8" iron rod at the northwest corner of a certain 0.903 acre tract deeded to the City of Stephenville in Document No. 2015-07068 of said Official Public Records, for the northeast corner of this tract and said Lot 1.

Thence S. 50 deg. 19 min. 07 sec. E. 793.32 feet to a found 1/2" iron rod in the north line of East Collins Street and at the southwest corner of said 0.903 acre tract, for the southeast corner of this tract.

Thence with the north line of said East Collins Street, S. 59 deg. 33 min. 35 sec. W. 152.65 feet to a set 1/2" iron rod with cap (PRICE SURVEYING) at the southeast corner of a certain 0.325 acre tract (Tract One) deeded to Amparo Avalos Medrano in Document No. 2020-02093 of said Official Public Records, for the southerly southwest corner of this tract.

Thence leaving said East Collins Street, N. 31 deg. 32 min. 42 sec. W. 150.70 feet to a found 3/8" iron rod at the northeast corner of said 0.325 acre tract, for an ell corner of this tract.

Thence S. 56 deg. 58 min. 39 sec. W. 98.14 feet to a found iron pipe at the northwest corner of said 0.325 acre tract and at the northeast corner of Lot 1A in said Block 65, for a corner of this tract.

Thence S. 56 deg. 38 min. 11 sec. W. 72.37 feet to a found 3/8" iron rod at the northwest corner of said Lot 1A and in the east line of Lot 3 in Block 2 of said Miller Addition, for the westerly southwest corner of this tract.

Thence with the east line of Block 2 of said Miller Addition, N. 30 deg. 27 min. 26 sec. W. 650.47 feet to the place of beginning.

Easements:

Any public utility, including the City, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths on any of the easements or Right-of-Way shown on the Plat (or filed by separate instrument that is associated with said property); and any public utility, including the City, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone. Easements shall be maintained by property owners. The City can move trees or any other improvements and does not have the responsibility to replace them.

Floodplain Easement Restriction:

Construction within the floodplain may only occur with the written approval of the City. A request for construction within the floodplain easement must be accompanied with detailed engineering plans and studies indicating that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners or the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation as determined by analyzing the ultimate build-out conditions of the entire drainage basin.

- a. Existing creeks, lakes, reservoirs, or drainage channels traversing along or across portions of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lot or lots that are traversed by the drainage courses along or across said lots. The City will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing his/her property clean and free of debris, silt, or any substance, which would result in unsanitary conditions. The City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions, which may occur.
- b. The natural drainage channel, as in the case of all natural drainage channels, are subject to storm water overflow and natural bank erosion. The City shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structure(s) within the natural drainage channels. The natural drainage channel crossing each lot is shown by the Floodway easement line as shown on the plat. If a Subdivision alters the horizontal or vertical floodplain, a FEMA Floodway map revision may be required.

OWNER'S CERTIFICATE

Now therefore know all men by these presents:

That, RF Land Holdings, LLC, owner, does hereby adopt this plat designating the herein described property as Lots 1 thru 10, Block 1, Calder's Corner Addition to the City of Stephenville, Erath County, Texas, and does hereby dedicate to the Public use forever, the easements shown thereon. The easements shown thereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same.

Any, and all public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

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

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

Witness my hand, This the _____ day of _____, 20____

RF Land Holdings, LLC - Casey Raitz

STATE OF TEXAS

COUNTY OF _____

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

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

Signature _____

My Commission Expires On _____

BUILDING SETBACKS

- FRONT - 25' SETBACK
- SIDE - 7' SETBACK
- REAR - 25' SETBACK
- STREET SIDE - 25' SETBACK

NOTE: A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO F.I.R.M. PANEL 48143C0430D, EFFECTIVE NOVEMBER 16, 2011

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

NOTE: ALL DISTANCES ARE SURFACE DISTANCES

CITY OF STEPHENVILLE
ERATH COUNTY, TEXAS

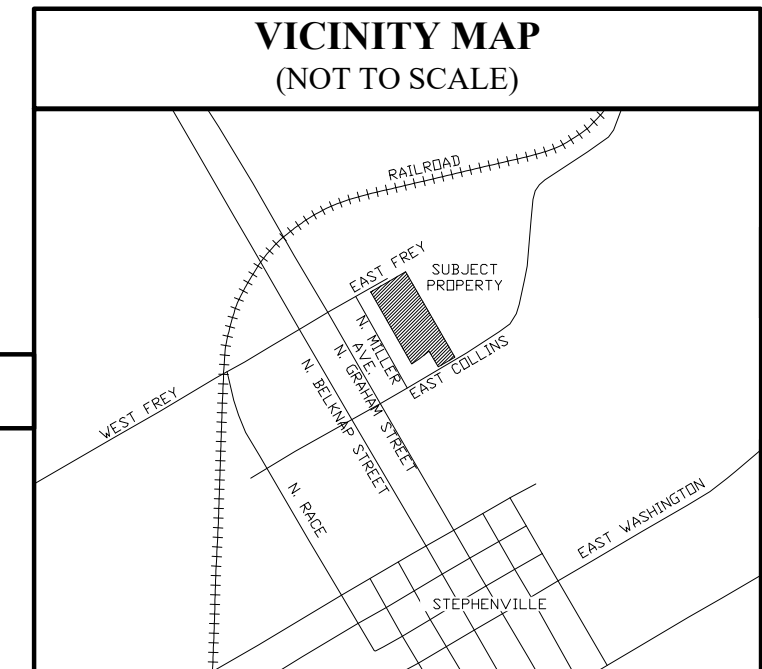
_____, Director of Development Services _____
Date of Approval _____

Attest: _____, City Secretary _____
Date _____

SURVEYOR'S CERTIFICATE

THIS is to certify that I, MATTHEW K. PRICE, A Registered Professional Land Surveyor of the State of Texas, have platted the above property from an actual survey on the ground and that all lot corners, angle points, and points of curve will be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direct supervision on September 14, 2022.

Matthew K. Price, R.P.L.S. No. 6284
JN221438 221185.CRD FN221147



PRELIMINARY PLAT
LOTS 1 THRU 10, BLOCK 1
CALDER'S CORNER

OF A 5.37 ACRES TRACT OF LAND OUT OF LOT 1 IN BLOCK 65 OF THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS, ACCORDING TO KING'S 1956 MAP OF STEPHENVILLE, ADOPTION AND DEDICATION THEREOF RECORDED IN VOLUME 381, PAGE 105 OF THE DEED RECORDS OF ERATH COUNTY, TEXAS

OWNER	SURVEYOR
RF Land Holdings, LLC	Matthew K. Price Price Surveying, LP FIRM# 10194051 1100 E Washington Street Stephenville, TX 76401 254-965-5489



STAFF REPORT

SUBJECT: Proposed Revision to Chapter 154.05.8.D(C)(12) of the Zoning Ordinance relating to the Deviation from Required Standards

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

City Ordinance 2021-0-28 was adopted in September 2021. Since that time, paragraph 12 of the adopted ordinance has been further reviewed and discussed with Legal Counsel. Repealing Paragraph 12 will require any deviations from the R-2.5 zoning requirements to be reviewed by the Board of Adjustments.

The City Council Development Services Committee convened November 15, 2022, to consider a proposed revision to Section 154.05.8.D(C)(12) of the Zoning Ordinance. The Committee, by a unanimous vote of 4/0, assigned the Planning and Zoning Commission to hold a public hearing to consider the proposed revisions as presented and make a recommendation to the City Council for adoption.

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

5.8.A Description. This integrated residential housing district provides for medium-density city neighborhood development.

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

5.8.B Permitted Uses.

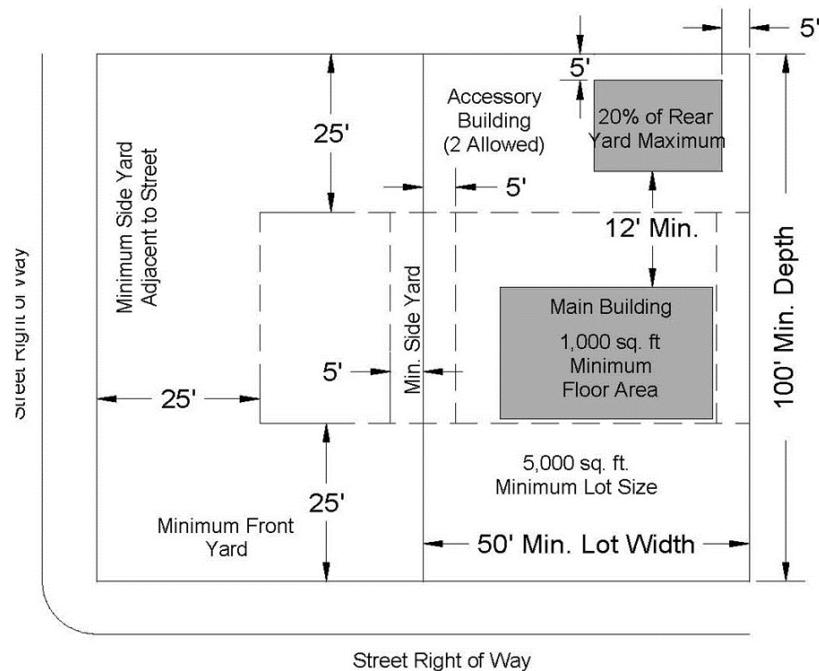
1. Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing,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

5.8.C Conditional Uses.

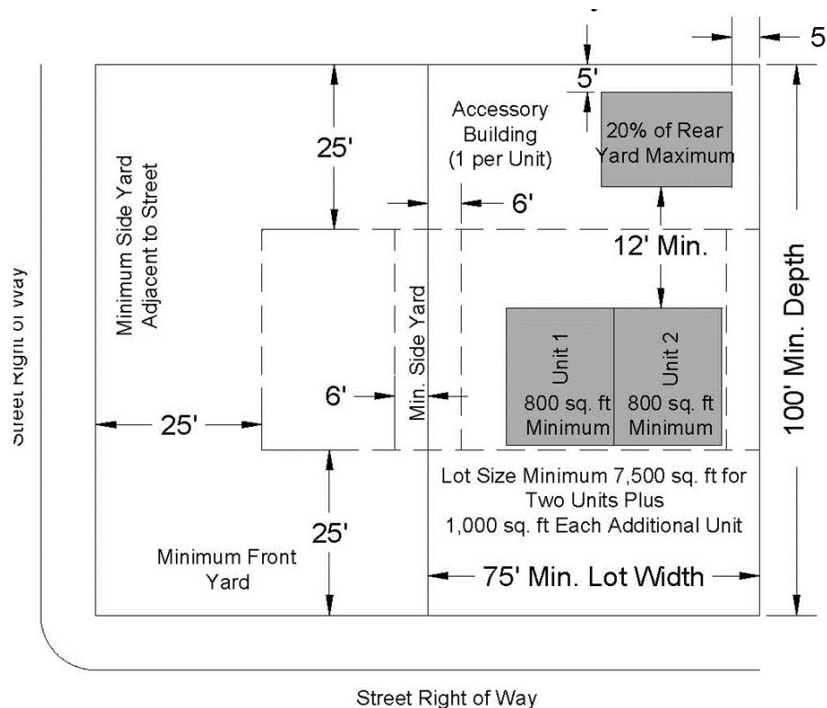
1. Home occupation;
2. Common facilities as the principal use of one or more platted lots in a subdivision;
3. Adult and/or children's day care centers;
4. Foster group home; and
5. Residence hall.

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

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



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



- C. Townhouse/Condominium.

1. Minimum lot area: 3,000 ft² per unit.
2. Minimum average lot width and lot frontage: 30 feet.
3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
 - a. Maximum building coverage as a percentage of lot area: 40%
 - b. Minimum area of each Townhouse dwelling unit: 800 ft².
 - c. Minimum area of each Condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
8. Accessory buildings:
 - a. Maximum accessory building coverage of rear yard: 20%.
 - b. Maximum area of each accessory building: 200 ft².
 - c. Maximum number of accessory buildings: one per unit.
 - d. Minimum depth of side setback: five feet.
 - e. Minimum depth of rear setback: five feet.
 - f. Minimum depth from the edge of the main building: 12 feet.
9. Maximum height of structures: 35 feet.
10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.
11. Maximum density of Townhome or Condominium Housing within the R-2.5 District shall not exceed 14 units per acres with each unit platted separately.
12. Deviations from the required standards within the R-2.5 district will be subject to site plan review by the Planning and Zoning Commission and subsequent approval by City Council. Site plans should include renderings with elevations, a finish schedule and incorporate architectural designs that complement the existing structures of the area of integration.

ALTERNATIVES:

1. Recommend the City Council adopt the proposed revisions.
2. Recommend the City Council take no action and therefore, not adopt the proposed revisions.