

SUBJECT: Case No.: RZ2023-009

Applicant Oncor Electric Delivery Company LLC, representing Kam Woon Ip, is requesting a rezone for property located at W Lingleville Rd, being Parcel R22664, Acres 11.918, A0520 MENEFFEE JARRETT; of the City of Stephenville, Erath County, Texas from (B-1) Neighborhood Business to (IND) Industrial.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

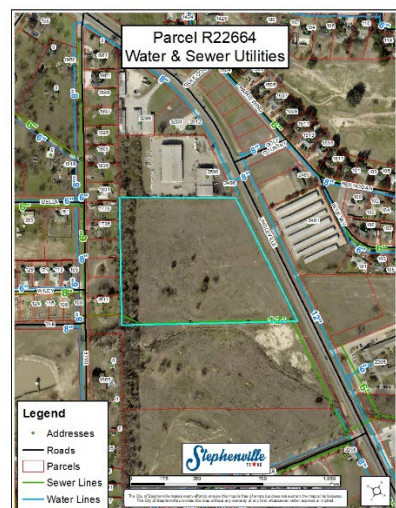
RECOMMENDATION:

The property has current zoning of (B-1) Neighborhood Business. The Future Land Use for this property is designated as (B-1) Neighborhood Business.

The rezone request is only applicable to the portion of the parcel being acquired by Oncor and as illustrated in the conveyance plat. The existing zoning will remain intact for the portion of the parcel that is not included in the conveyance.

BACKGROUND:

PROPERTY PROFILE:



Sec. 154.06.6. Industrial district (I).

6.6.A Description. The Industrial District is intended to serve as the location for general industrial activities.

6.6.B Permitted Uses.

- (1) Airport, heliport or landing field;
- (2) Animal grooming;
- (3) Athletic field;
- (4) Auto paint and body shop/repair;
- (5) Auto parking lot or building (commercial);
- (6) Auto parts sales;
- (7) Auto repair/mechanic garage;
- (8) Auto sales;
- (9) Auto storage;
- (10) Auto wrecking or salvage yard;
- (11) Automobile rental;
- (12) Automobile service station and car care center;
- (13) Bail bond service;
- (14) Bakery—Wholesale and distribution;
- (15) Banks or other financial institutions;
- {16} Boat sales;
- (17) Bottling works (wholesale);
- (18) Building material sales;
- (19) Bulk grain/feed storage;
- (20) Cabinet and upholstering shop;
- (21) Car wash;
- (22) Chemical supply;
- (23) Civic/community center;
- (24) College or university;
- (25) Commercial amusement (indoor and outdoor);
- (26) Concrete or asphalt batching plant;
- (27) Convenience store (with pumps); including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (28) Convenience/grocery store (without pumps); including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (29) Construction equipment rental and sales;
- (30) Construction yard (temporary);
- (31) Contractor shop and storage yard;
- (32) Feed, seed and fertilizer store-no bulk storage;
- (33) Feed store;
- (34) Field office (temporary);
- (35) Flea market;
- (36) Frozen foods locker;
- (37) Health club, weight and aerobic center;

- (38) Heavy machinery sales and storage;
- (39) Heavy manufacturing or industrial;
- (40) Home improvement center;
- (41) Hotels and motels; including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (42) Industrial manufacturing/fabrication/assembly (closed);
- (43) Industrial manufacturing/fabrication/assembly (outside storage);
- (44) Kennel;
- (45) Kiosk;
- (46) Laboratory (medical);
- (47) Landscaping service;
- (48) Laundry plant;
- (49) Lawn equipment and small engine sales and services;
- (50) Light manufacturing or industrial;
- (51) Machine shop;
- (52) Micro brewery; including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (53) Mini storage/warehouses;
- (54) Mobile homes/manufactured home parks;
- (55) Mobile home display and sales;
- (56) Moving company;
- (57) Newspaper printing;
- (58) Office-professional and general administration;
- (59) Overnight delivery and service center;
- (60) Package Store; including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (61) Pawn shop;
- (62) Plumbing shop;
- (63) Portable building sales;
- (64) Printing;
- (65) Produce stand;
- (66) Propane sales (filling stations);
- (67) Radio, television, microwave or electric generating tower;
- (68) Recreational vehicle sales;
- (69) Railroad or bus passenger station;
- (70) Recycling collection center;
- (71) Recycling kiosk;
- (72) Research lab (non-hazardous);
- (73) Restaurant (drive-in type); including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (74) Restaurant or cafeteria-without drive-in service; including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;

- (75) Restaurant with alcoholic beverage service; including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (76) Roofing and siding supply;
- (77) Sand/gravel/caliche/stone sales (storage);
- (78) Shopping center; including the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission;
- (79) Sign manufacturing;
- (80) Stone/clay/glass manufacture;
- (81) Storage or repair of furniture and appliance (inside);
- (82) Studio for radio and television;
- (83) Tattoo parlor/body piercing studio;
- (84) Taxidermy;
- (85) Tobacco shop;
- (86) Trade or commercial schools;
- (87) Tire retreading;
- (88) Tool equipment rental shop;
- (89) Trailer rental/sales;
- (90) Truck stop;
- (91) Veterinary clinic or hospital;
- (92) Veterinary services;
- (93) Warehouse, wholesale (enclosed and outside storage);
- (94) Welding shop;
- (95) Wholesale distribution centers;
- (96) Wholesale production and distribution of ice (mfg. by machine only); and
- (97) Wrecking yard.

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

- (1) Day care center—12 or more children; and
- (2) Sexually oriented business;
- (3) Citizen collection station;
- (4) Permitted uses not specifically designated for alcohol sales when licensed for the sale of alcohol by the Texas Alcoholic Beverage Commission.

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

- (1) Maximum density: There is no maximum density requirement.
- (2) Minimum lot area: There is no minimum area requirement.
- (3) Minimum lot width: There is no minimum width requirement.
- (4) Minimum lot depth: There is no minimum depth requirement.
- (5) Minimum depth of front setback: 20 feet minimum.
- (6) Minimum depth of rear setback: There is no minimum rear setback requirement unless the lot abuts upon a Residential District, then a minimum ten feet is required.
- (7) Minimum width of side setback:

- (a) Internal lot: There is no minimum side setback requirement unless the lot abuts upon a Residential District, then a minimum five feet is required.
- (b) Corner lot: 20 feet minimum.
- (8) Building size: There are no minimum size regulations
- (9) Maximum height of structures: No building shall exceed 75 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



Note: All uses, no rear or side yard except when the lot abuts upon a Residential District, then the minimum set back for the rear yard is ten feet and side yard is five feet.

6.6.E Parking Regulations. All uses permitted in the I District: See Section 11 for Parking Regulations.

6.6.F Sign Regulation. See Section 12 for Sign Regulations.

6.6.G Exceptions to Use, Height and Area Regulations. See Section 10.

6.6.H Garbage Regulations. Industrial District businesses will provide a serviceable area specifically for refuse collection designed for refuse canisters. Each designated canister area will be nine feet wide and eight feet deep (72 square feet), with a cement slab base. If the location of the cement slab is adjacent to a residential district, the slab must be at least five feet from the property line. The refuse area will be enclosed on three sides by a privacy fence. Approach areas will meet the requirements of Subsection 6.6.I.

6.6.I Loading and Unloading Regulations. All loading, unloading and maneuvering of vehicles connected with the activity must be on the premises and will not be permitted in any street. Loading and unloading areas must be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced.

(Am. Ord. 2008-07, passed 5-6-2008; Am. Ord. 2009-23, passed 12-1-2009; Am. Ord. No. 2018-O-25 , § 1, 8-7-2018; Am. Ord. 2009-23, passed 12-1-2009; Am. Ord. 2018-O-32 , § 2, passed 8-28-2018; Ord. No. 2021-O-17 , §§ 1, 5, passed 6-1-2021; Ord. No. 2022-O-26 , § 1, passed 9-6-2023)

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.