

STAFF REPORT



SUBJECT: Case No.: CP2023-001

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

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

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

BACKGROUND:

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

PROPERTY PROFILE:



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

5.6.A Description. This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes platted as one parcel and sole source management. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

5.6.B Permitted Uses.

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

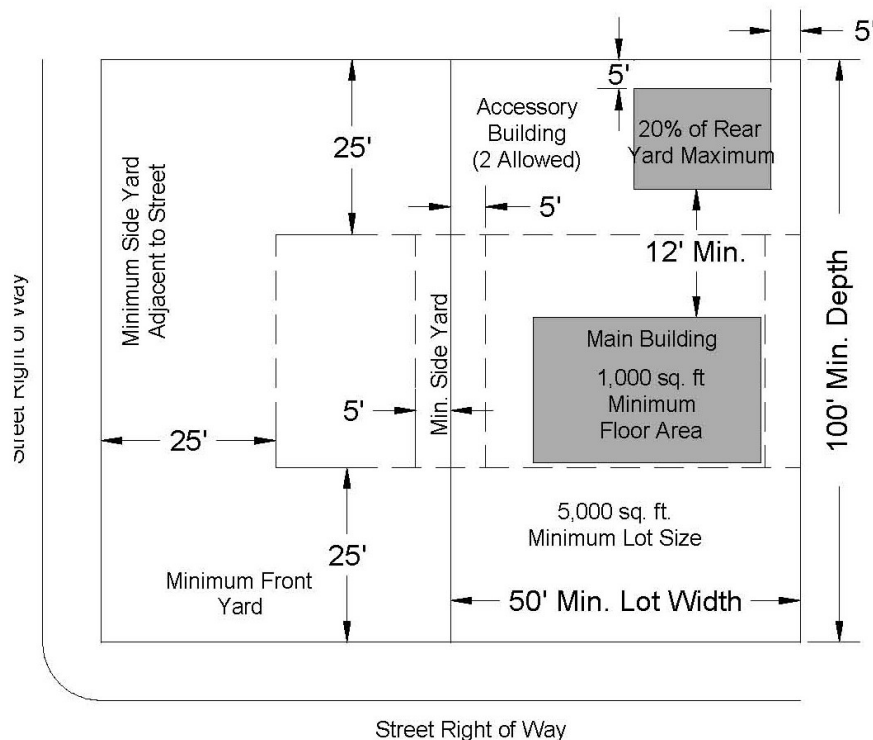
5.6.C Conditional Uses.

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

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

- (A) *Single family dwelling.*
 - (1) Minimum lot area: 5,000 ft².
 - (2) Minimum lot width and lot frontage: 50 feet.
 - (3) Minimum lot depth: 100 feet.
 - (4) Minimum depth of front setback: 25 feet.
 - (5) Minimum depth of rear setback: 25 feet.
 - (6) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
 - (7) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Single family dwelling: 1,000 ft².
 - (8) Accessory buildings:

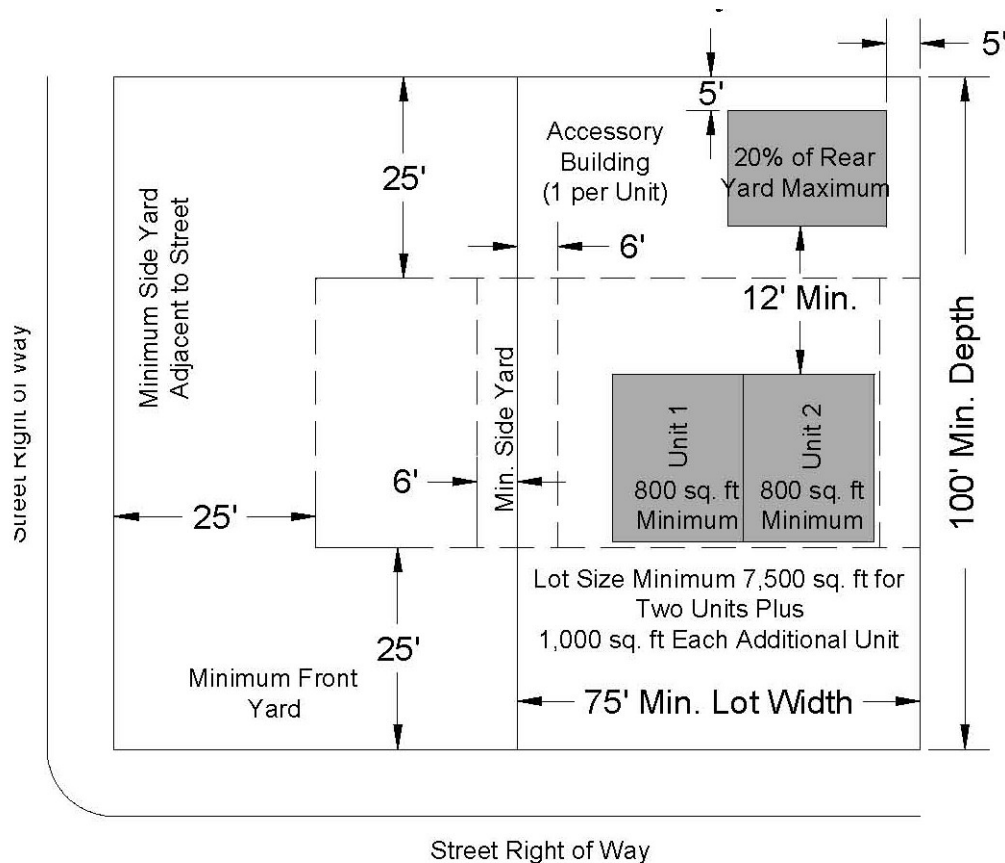
- (a) Maximum accessory buildings coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.
 - (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



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

- (1) Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² for each additional dwelling unit.
 - (2) Minimum lot width and lot frontage: 75 feet.
 - (3) Minimum lot depth: 100 feet.
 - (4) Minimum depth of front setback: 25 feet.
 - (5) Minimum depth of rear setback: 25 feet.
 - (6) Minimum width of side setback:
- (a) Internal lot: six feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of each dwelling unit: 800 ft².
 - (8) Accessory buildings:

- (a) Maximum accessory building coverage of rear yard: 20%.
- (b) Maximum area of each accessory building: 200 ft².
- (c) Maximum number of accessory buildings: one per unit.
- (d) Minimum depth of side setback: five feet.
- (e) Minimum depth of rear setback: five feet.
- (f) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



(C) *Reserved.*

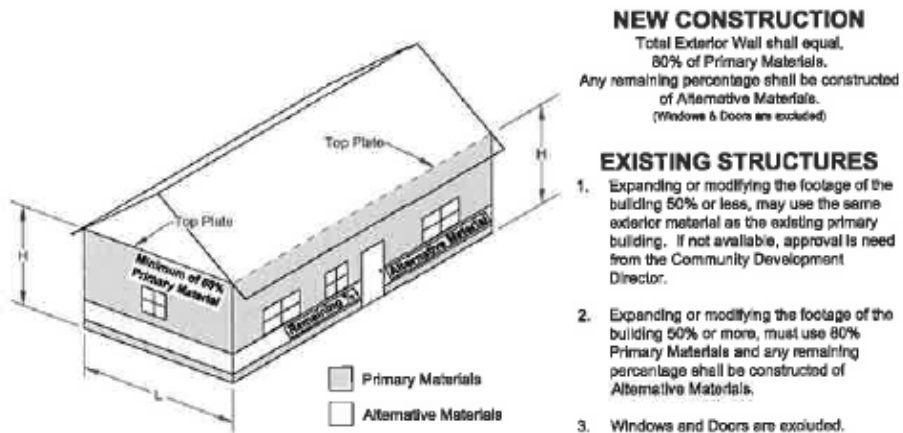
(D) *Multiple family dwellings.*

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

The diagram illustrates a residential lot layout with the following specifications:

- Street Right of Way:** The lot is bounded by a Street Right of Way on the left and bottom.
- Minimum Side Yard Adjacent to Street:** A 25' setback is required from the left Street Right of Way.
- Building Footprints:** There are seven 2-story buildings arranged in two rows of three, with a central parking area. Each building is 10' wide.
- Setbacks:**
 - 10' setbacks between buildings in both rows.
 - 10' setbacks from the right Min. Side Yard.
 - 10' setbacks from the bottom Minimum Front Yard.
- Central Area:**
 - Parking:** A central parking area is located between the two rows of buildings.
 - Pool:** A pool is located to the right of the central parking area, with a 10' setback from the building to its right.
 - Maximum 24 Dwelling Units Per Acre:** A note indicating the density limit.
 - 500 sq. ft. for One Bedroom, 125 sq. ft. for each Additional Bedroom:** A note indicating the floor area requirements.
- Yard Requirements:**
 - Min. Side Yard:** A 10' minimum side yard is required on the right side.
 - Minimum Front Yard:** A 25' minimum front yard is required on the bottom side.
 - 100' Min. Depth:** The total depth of the lot is 100'.
- Property Line:** The boundary between the lot and the Street Right of Way is labeled as the Property Line.

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; Am. Ord. 2021-O-29, § 1, passed 9-7-2021)

ALTERNATIVES:

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