

STAFF REPORT



SUBJECT: Case No.: RZ2021-007

Applicant Jayson Sample, as authorized by Brandon McDonald, is requesting a rezone of property located at located at 1955 W. South Loop, Parcel R31852, of GREENVIEW ADDITION, BLOCK 2, LOT 1, of the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (I) Industrial.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on April 21, 2021 and by a vote of 5/1, recommended the City Council deny the rezoning request.

BACKGROUND:

The intended project for the requested zoning is for a retail business offering personal service (tattoos). The current zoning does not list this type of business as a permitted use, hence the request to rezone to Industrial.

CURRENT ZONING:

B-1 – Neighborhood Business

FUTURE LAND USE:

Commercial

DESCRIPTION OF REQUESTED ZONING

Sec. 154.06.6. Industrial district (I).

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

6.6.BPermitted Uses.

- (83) Tattoo parlor/body piercing studio;

6.6.CConditional Uses (Special Use Permit required).

- (1) Day care center—12 or more children; and
- (2) Sexually oriented business.
- (3) Citizen collection station.

6.6.DHeight, 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.

WATER:

The property is served by a 12” city water main in Hwy 377 and in Swan in Street.

SEWER:

The property is served by a 8” sanitary sewer main in Swan.

STREET:

The property is served by a city street (Swan) and Hwy 377.

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(B-1) Neighborhood Business	Commercial
North	(R-1) Single Family	Single Family
South	(I) Industrial	Commercial
East	(R-1) Single Family	Single Family
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) Accept the recommendation of the Commission and approve the rezoning request.
- 2) Reject the recommendation of the Commission and deny the rezoning request.