



PLANNING AND ZONING COMMISSION MEETING

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

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, December 21, 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
Justin Allison
Bruce Delater
Tom Hines
Mary Beach McGuire

COMMISSIONERS ABSENT: Nick Robinson
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.

Chairperson LaTouche presented the outgoing Planning and Zoning Commissioners, Bruce Delater and Tom Hines with certificates of appreciation for their time of service to the community as Commissioners.

MINUTES

1. **Consider Approval of Minutes – November 16, 2022**

MOTION by Bruce Delater, second by Brian Lesley to approve the minutes for November 16, 2022.
MOTION CARRIED by unanimous vote.

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 W Lingleville Rd, Parcel R77868, 7.664 Acres of A0520 Menefee Jarrett, of the City of Stephenville, Erath County, Texas.

Development Services Director, Steve Killen briefed the Commission in regard to the preliminary plat that was being presented. Mr. Killen stated that the Commissioners could approve the preliminary plat with the following conditions:

1. *Preliminary and Other Types of Plans.* An Application for a Preliminary Plat shall be accompanied by the following:
 - a. Preliminary Drainage Plan;
 - b. Preliminary Storm Water Management Plan;
 - c. Preliminary Utility Plan;
2. *Current Title Commitments.* The Applicant shall furnish with the Application to the City 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.

Emanuel Glockzin with Retirement Living for Seniors was present to answer any questions that the Commission may have.

Chairperson LaTouche opened the public hearing at 5:35 PM.

No one spoke in favor or against the rezone request.

The public hearing was closed at 5:35 PM.

MOTION by Mary Beach-McGuire, second by Bruce Delater to approve with conditions the preliminary plat of property located at located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas. MOTION CARRIED by unanimous vote.

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 of Stephenville, Erath County Texas from Industrial District (I) to Multi-family Residential District (R-3).

Steve Killen, Development Services Director, updated the Commissioners on the rezone request of the property. Mr. Killen stated that the Planning and Zoning Commission convened on October 19, 2022, and by a vote of 4-1-1, recommended that 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. Now that the legal description has been corrected, the case is being resubmitted for consideration. Mr. Killen concluded his brief by informing the rezone is requested for a future multifamily project.

Ms. Ophelia Mosbey briefly addressed the Commission stating that she has a son attending Tarleton and would like to give back to the community through the development of the property.

Chairperson LaTouche opened the public hearing at 5:43 PM.

No one spoke in favor of the rezone request.

One letter of opposition was received.

Debra Mitchell, 620 College Farm Rd sent a letter and spoke in opposition to the rezone request.

The public hearing was closed at 5:45 PM.

MOTION by Mary Beach-McGuire, second by Brian Lesley to recommend approval to the City Council for the 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 of Stephenville, Erath County Texas from Industrial District (I) to Multi-family Residential District (R-3). MOTION CARRIED by a 4-2 vote.

AYES: Justin Allison, Mary Beach-McGuire, Lisa LaTouche, Brian Lesley

NOES: Bruce Delater, Tom Hines

4. Case No.: RZ2022-026P and P2022-002

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).

Development Services Director, Steve Killen, informed the Commissioners that applicant Casey Raitz was requesting the rezone of the property with a simultaneous preliminary plat in order for Mr. Raitz to develop the property into a single-family development with an HOA. The rezone request coincides with the Comprehensive Plan for future land use of R-1 Single Family. Mr. Killen informed the Commission that 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. Mr. Killen reminded the board that if the rezone is denied, the preliminary plat will automatically be denied as well.

Mr. Casey Raitz was present to answer any questions that the Commissioners had.

Chairperson LaTouche opened the public hearing at 5:54 PM.

No one spoke in favor of the rezone request.

Tara Gwinn, 751 N Miller spoke in opposition to the request.

The public hearing was closed at 5:57 PM.

MOTION by Brian Lesley, second by Bruce Delater to recommend approval to the City Council for the rezone of 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). MOTION CARRIED by unanimous vote.

MOTION by Brian Lesley, second by Bruce Delater to approve with conditions the preliminary plat of 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. MOTION CARRIED by unanimous vote.

5. Proposed Revision to Chapter 154.05.8.D(C)(12) of the Zoning Ordinance Relating to the Deviation from Required Standards

Steve Killen, Development Services Director, briefed the Commission on the proposed revision. He reported that 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. Mr. Killen concluded by stating that 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.

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

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

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.

Chairperson LaTouche opened the public hearing at 6:09 PM.

No one spoke in favor or against the amended ordinance.

Chairperson LaTouche closed the public hearing at 6:09 PM.

MOTION by Bruce Delater, second by Mary Beach-McGuire to recommend an approval to the City Council of the proposed revision to Section 154.05.8.D(C)(12) of the Zoning Ordinance as presented.

MOTION CARRIED by a unanimous vote.

ADJOURN

The meeting was adjourned at 6:10 PM.

APPROVED:

ATTEST:

Lisa LaTouche, Chair

Tina Cox, Commission Secretary