

STAFF REPORT

TO: Zoning Commission – Regular Meeting – October 21, 2025

From: Kim Golden, P.E., City Engineer

CC: Doug Kneupper, P.E., Consulting Engineer

Date: October 15, 2025, 2025

RE: Zoning Change - 917 8th Ave N – Come and See Friends Men’s Discipleship Program House – From District “F” (Light Industrial) to District “S-P” (Site Plan)

Background: The applicant, Walter T. Lawson, Sr. Pastor, Come and See Friends Church, seeks approval of a zoning change from District “F” (Light Industrial) to District “S-P” (Site Plan) to continue the operation of a halfway house for men in re-entry. The program has been operating as an unlicensed residential program at the site for approximately four years. The residential program was shut down by Fire Marshals for numerous hazardous conditions and code violations which rendered the building unsafe for the dormitory style occupancy use by 13 residents.

The Planning Board approved the proposed Site Plan upon certain conditions at its meeting on September 15, 2025 (4-0) and recommended approval of the zoning change (3-1). Draft minutes of the Planning Board meeting are included in the agenda packet.

Requested Action: Rezoning of an existing commercial building from District “F” (Light Industrial) to District “S-P” (Site Plan) for use as a halfway house for men released from incarceration.

Staff review and analysis: The Zoning Ordinance defines a “half-way house” as “a facility for the housing, rehabilitation and/or training of three or more persons, who are on probation or parole or are pre-released inmates from correctional institutions or other persons found guilty of criminal offenses; or for the housing, rehabilitation, training, counseling or treatment of three or more persons for alcohol, chemical or drug abuse and/or dependencies.” Section 160.006. Halfway houses are required to be in District “S-P” (Site Plan), per Section 160.051(C)(b)(8). There are no height or area dimensions specified for the use. However, there are area dimensions for Personal Care Facilities which may be considered advisory of 100 sf per person in single occupancy bedrooms and 120 sf per person in double occupancy bedrooms.

In the absence of any area or height specifications in the ordinance for the use the requirements are determined by the approved Site Plan. The proposed Site Plan does not indicate an anticipated number of occupants or the designation of a space standard per occupant. The proposed Site Plan seems to indicate an area of 43ft x 26ft for dormitory style sleeping quarters. Applying the standard of 120 sf for multiple occupancies would allow an occupancy of 9 residents. However, a final occupancy load will be determined by the Fire Marshal and established through the building permitting and certificate of occupancy process.

The Site Plan shows the existing building to have two restrooms, one of which is shown to also have a shower. The Site Plan shows a designated kitchen area, dining area and a small outdoor open space at the rear of the building.

EXISTING BUILDING: The location at 917 8th Ave N is an existing building on a 0.056-acre lot (25ft x 102ft – 2448 sf). The Site Plan shows the existing building as 26ft x 123ft (3,198 sf) which exceeds the size of lot. It is very likely the existing building is the same size as the platted lot with zero lot line setbacks.

EXISTING ZONING: The site is currently zoned District “F” (Light Industrial). The adjacent property to the west is zoned District “E” (General Business). Adjacent properties to the east and across 8th Ave N to the north are all zoned District “F” (Light Industrial).

The existing facility does not meet the setback requirements of the District “F” zoning designation which requires a minimum lot width of 80ft, minimum lot depth of 150ft, minimum lot area of 15,000 sf, minimum front yard of 30ft, minimum rear yard of 30ft. There is no minimum side setback except from a residential district which does not apply to this location. The existing use as a halfway house is not an allowable principal use in District “F”.

EXISTING PARKING: There is no off-street parking for the existing building, but the applicant identifies 30 public parking spaces available adjacent to the site and across the street. The site plan states no off-street parking spaces are required. The applicant indicates the residents do not have vehicles.

INTENDED USE: The applicant seeks a rezoning to District “S-P” (Site Plan) so it can continue its ministry to indigent men in recovery who are returning from incarceration or have ongoing involvement with the criminal justice system through probation or parole. The ministry provides transitional dormitory style housing, counseling, and limited wrap around supportive services such as assistance with obtaining identification documents, driver’s license, etc. Residents maintain a strict schedule of required activities including daily prayer and bible study and are subject to random drug screening. The facility is not licensed by the State of Texas nor are the counselors licensed. The ministry is supported by community donations. Residents are not required to pay a fixed rent or for any supportive services. Additional information regarding the programming is included in the agenda packet.

Review comments did not express any concerns. Building Officials and Fire Marshals note the facility will be required to meet all applicable codes. Courtesy inspections have been conducted to inform the applicant about the permitting process and the modifications likely to be required to satisfy applicable codes.

RECOMMENDATION: The program has been operating at the site without permits but also without any complaints from the surrounding neighborhood. The site is not adjacent or close to any existing residential uses. The use as a halfway house would not be incompatible with the existing use of an adjacent property by Narcotics Anonymous and there have been no complaints noted from an adjacent church.

The majority of the Planning Board recommended the rezoning at its meeting on September 22, 2025 (3-1).

So long as the applicants complete the rezoning process and satisfy the requirements of the Building Officials and Fire Marshals, staff offer no objection to the Site Plan and proposed rezoning.