

Planning and Zoning Commission

Monday, December 04, 2023 at 5:30 PM

Breckenridge City Offices Commission Chambers 105 North Rose Avenue Breckenridge, Texas 76424

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. Consider approval of August 28, 2023 meeting minutes as recorded.

PUBLIC HEARING

2. Public Hearing regarding request to rezone the property at 611 E. Walker – East Breckenridge Addition, Block B, Lot 5 & 6, in Breckenridge, Texas from R1 (Single Family Dwelling District) to C2 (Community Business District).

SCHEDULED AGENDA ITEMS

- 3. Discussion and any necessary action regarding request to rezone the property at 611 E. Walker East Breckenridge Addition, Block B, Lot 5 & 6, in Breckenridge, Texas from R1 (Single Family Dwelling District) to C2 (Community Business District).
- <u>4.</u> Discussion and any necessary action regarding Ordinance 23 20; closing Dyer Street between N. Miller and N. Live Oak

ADJOURN

I certify that this notice was posted at the City Office before 4:00 P.M., Friday, December 1, 2023.	es, 105 North F	ose Avenue, Bre	ckenridge, Texas
Jessica Sutter, City Secretary			
This facility is wheelchair accessible, and accessible accommodations or interpretive services must be method the City Secretary's Office at (254)559-8287 or FAX	nade 48 hours p	orior to this meet	ting. Please contact
Removed from the City Offices bulletin board at	on	by	



Planning and Zoning Commission

Tuesday, August 28, 2023, at 5:30 PM **Breckenridge City Offices Commission Chambers** 105 North Rose Avenue Breckenridge, Texas 76424

MINUTES

PRESENT

COMMISSIONER PLACE 1 LES STRICKLAND **COMMISSIONER PLACE 3 CORY WIMBERLY COMMISSIONER PLACE 4** JB SPARKS **COMMISSIONER PLACE 5 GENOA GOAD COMMISSIONER PLACE 6 RAUL DURAN BLAINE REATHERFORD COMMISSIONER PLACE 7**

CITY MANAGER CYNTHIA NORTHROP **CITY SECRETARY** JESSICA SUTTER MALCOLM BUFKIN FIRE CHIEF/CODE ENFORCEMENT FIRE/CODE SECRETARY

CHRISTI TIDROW

ABSENT

COMMISSIONER, PLACE 2 VACANT

CALL TO ORDER

JB Sparks called the meeting to order at 5:30 p.m.

PUBLIC COMMENT

No speakers

SCHEDULE AGENDA ITEMS

1. Discussion and any necessary action making recommendation to the City Commission to close the remaining portion of North Oakwood Avenue, lying between Blocks 44 and 45 of the Lakeview Addition of the City of Breckenridge, Texas (Stephens County).

Commissioner Strickland made a motion recommending the City Commission close the remaining portion of North Oakwood Avenue, lying between blocks 44 and 45 of the Lakeview Addition of the City of Breckenridge, Texas (Stephens County). Commissioner Duran seconded the motion. The motion passed unanimously.

ADJOURN

The meeting adjourned at 5:33 p.m.	
The meeting adjourned at 3.33 p.m.	
	JB Sparks, Commissioner Place 4
ATTEST:	
lossica Suttor City Socratary	-



BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

Subject: Public Hearing regarding request to rezone the property at 611 E. Walker

 East Breckenridge Addition, Block B, Lot 5 & 6, in Breckenridge, Texas from R1 (Single Family Dwelling District) to C2 (Community Business

District).

Department: Administration

Staff Contact: Cynthia Northrop

Title: City Manager

BACKGROUND INFORMATION:

The property at 611 E. Walker (American Legion Building) is currently city-owned and is zoned R1 (Single Family Dwelling District). The City conducted a sealed bid to sell the property. The buyers of the property are requesting a rezone to the Community Business District that will allow them to operate a business.

Public Hearing Notice was published in compliance with notification requirements and notification letters were sent to surrounding property owners within 200 feet of the 611 E. Walker.

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION:

Conduct Public Hearing



BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

Subject: Discussion and any necessary action regarding request to rezone the

property at 611 E. Walker – East Breckenridge Addition, Block B, Lot 5 & 6, in Breckenridge, Texas from R1 (Single Family Dwelling District) to C2

(Community Business District).

Department: Administration

Staff Contact: Cynthia Northrop

Title: City Manager

BACKGROUND INFORMATION:

The property at 611 E. Walker (American Legion Building) is currently city-owned and is zoned R1 (Single Family Dwelling District). The City conducted a sealed bid to sell the property. The buyers of the property are requesting a rezone to the Community Business District that will allow them to operate a business.

Public notices were sent to surrounding property owners within 200 feet and public notice was published as required.

The request to rezone is appropriate and compatible with surrounding land use (see staff report).

FINANCIAL IMPACT:

ΝΔ

STAFF RECOMMENDATION:

Consider recommending approval to City Commission of request to rezone 611 E. Walker.



Мар

Local Road Labels

- M Local Roads
- /// Extra-territorial Jurisdiction
- ✓ Stephens CAD Parcels

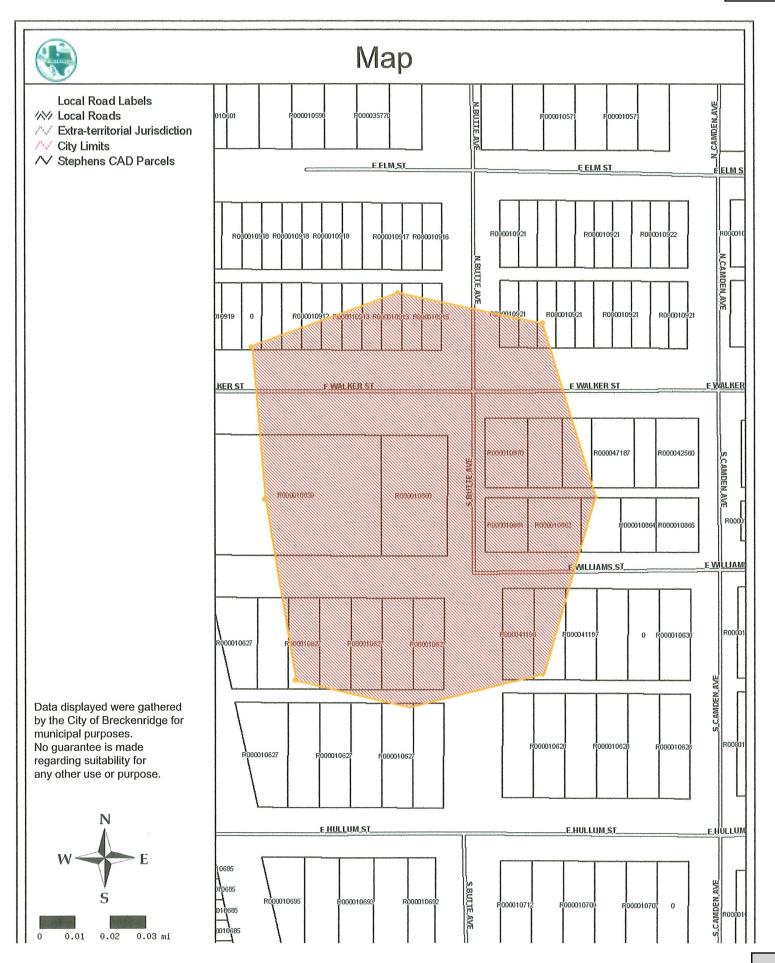


Data displayed were gathered by the City of Breckenridge for municipal purposes. No guarantee is made regarding suitability for any other use or purpose.



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11/07/23 11:29





BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

Subject: Discussion and any necessary action regarding Ordinance 23 – 20; closing Dyer

Street between N. Miller and N. Live Oak

Department: Administration

Staff Contact: Cynthia Northrop

Title: City Manager

BACKGROUND INFORMATION:

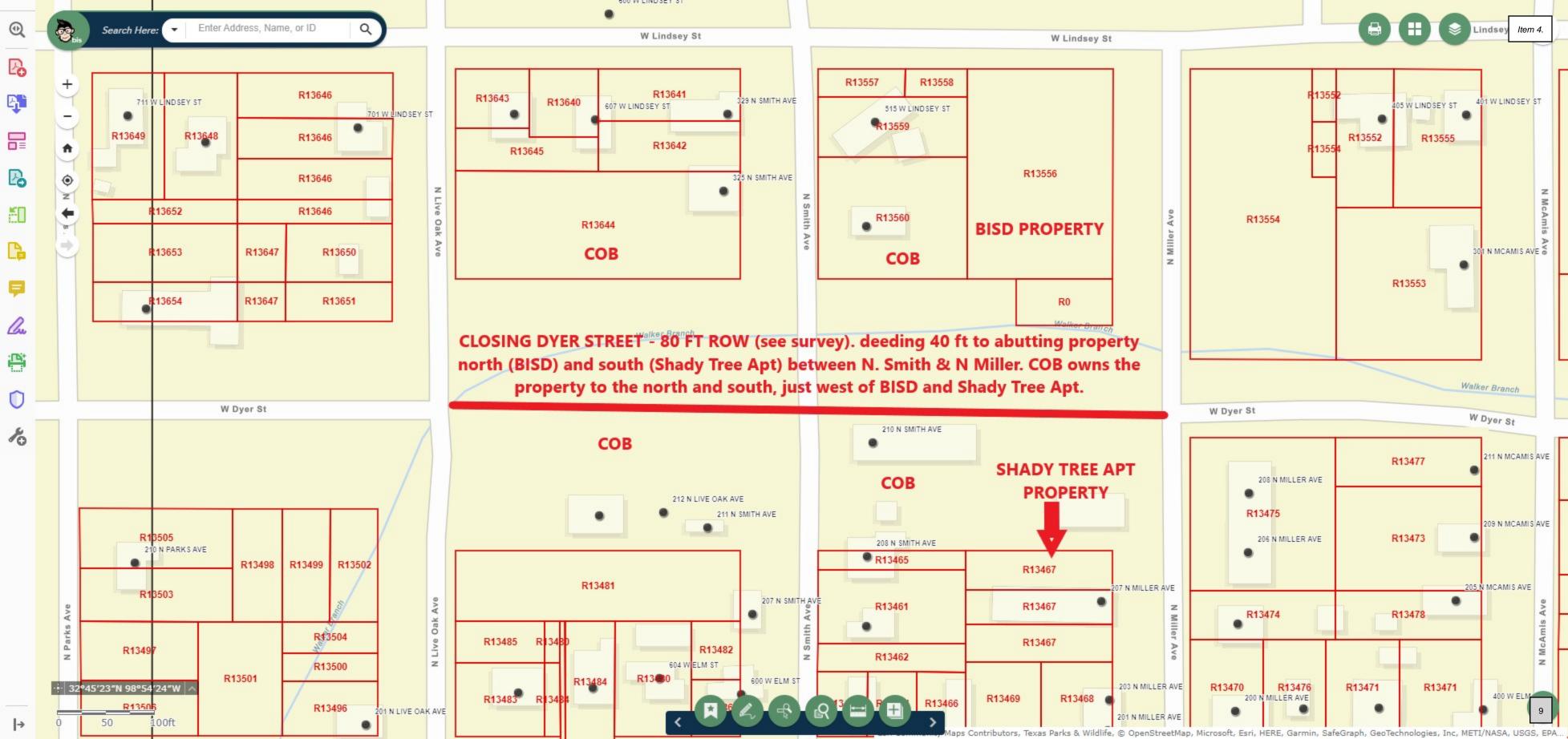
From staff research, Dyer Street between N. Miller and N. Live Oak has not been a through street for over 30 years. This issue came to light as the City advertised sealed bid for the sale of 210 N. Smith Street and the subsequent survey shows an 80-foot right-of-way still in existence. In an effort to complete the sale of that property and clean up the documentation, staff is recommending closing Dyer Street between N. Miller and N. Live Oak. To do so requires us to deed the property over equally to the abutting property owners; in this case BISD, Shady Tree Apartments, and the City of Breckenridge (see attached map).

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION:

Consider recommending approval to the City Commission of Ordinance 23-20, closing Dyer between N. Miller and N. Live Oak, and conveyance of the right-of-way to the abutting property owners.



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0.02

0.03 mi

No guarantee is made regarding suitability for

municipal purposes.

any other use or purpose.

Data displayed were gathered by the City of Breckenridge for

Map

Local Road Labels

Local Roads

Extra-territorial Jurisdiction

City Limits

✓ Stephens CAD Parcels





MICHAEL DAVIS, PRESIDENT OFFICE 254-559-9898 FAX 254-559-7372

ERIC BRENNAN, RPLS #5560

www.owensurveying.com

METES AND BOUNDS DESCRIPTION 0.09 Acre Tract

recorded in volume 210 page 12 of said deed records, and being more particularly described as being all of a tract as described in deed to The City of Breckenridge, filed 20 August 1946, and dated May 1878, and recorded in volume C page 34 of the Deed Records of Stephens County, plat now Stephens State of Texas, said tract being part of Block 33 of Original Town Plat of Breckenridge filed 12 June 1877, and recorded in volume B page 386 of the Patent Records of the County of quarter of Section 9, of the Lunatic Asylum Lands, original grantee and patentee D. located in slide 91A of the Plat Cabinet of the Plat Records of said Stephens County, and said tract All that certain 0.09 acre tract or parcel of land situated in the City of Breckenridge in the northeast W. Hullum, patent

filed 28 March 1923, and recorded in volume 120 page 43 of said deed records, said plat now located in Slide 6B of said plat cabinet, from said rod a found iron rod with a plastic cap marked 4015 being the northwest corner of Block 6 of said original town plat bears South 89 degrees 55 minutes 53 seconds East, a distance of 610.50 feet; said rod being the northwest corner of Lot 1 of Brown's Subdivision, according to plat of the same plastic cap marked 5560 on the south line of Dyer Street, same being the north line of said Block 33, BEGINNING for the northeast corner of the tract being described herein at a found iron rod with a located

of 25.00 feet to a set 1\2 inch rebar for the southeast corner of said City tract, same being the northeast corner of a tract as described in deed to Patrick E. Muncie et ux, Wendy L. Muncie, filed 04 April 2006, and recorded in volume 1822 page 120 of said official public records, from said rebar a found 1\2 inch pipe bears North 49 degrees 52 minutes East, a distance of 0.63 feet; THENCE: South 00 degrees 01 minutes 26 seconds West, with the west line of said Lot 1, a distance

of said City tract, same being the northwest corner of said Muncie tract; with the north line of said Muncie tract, a distance of 150.00 feet to a set 1/2 rebar by a found 1/2 inch pipe on the east line of Smith Street same being the west line of said Block 33 for the southwest corner THENCE: North 89 degrees 55 minutes 53 seconds West, with the south line of said City tract, and

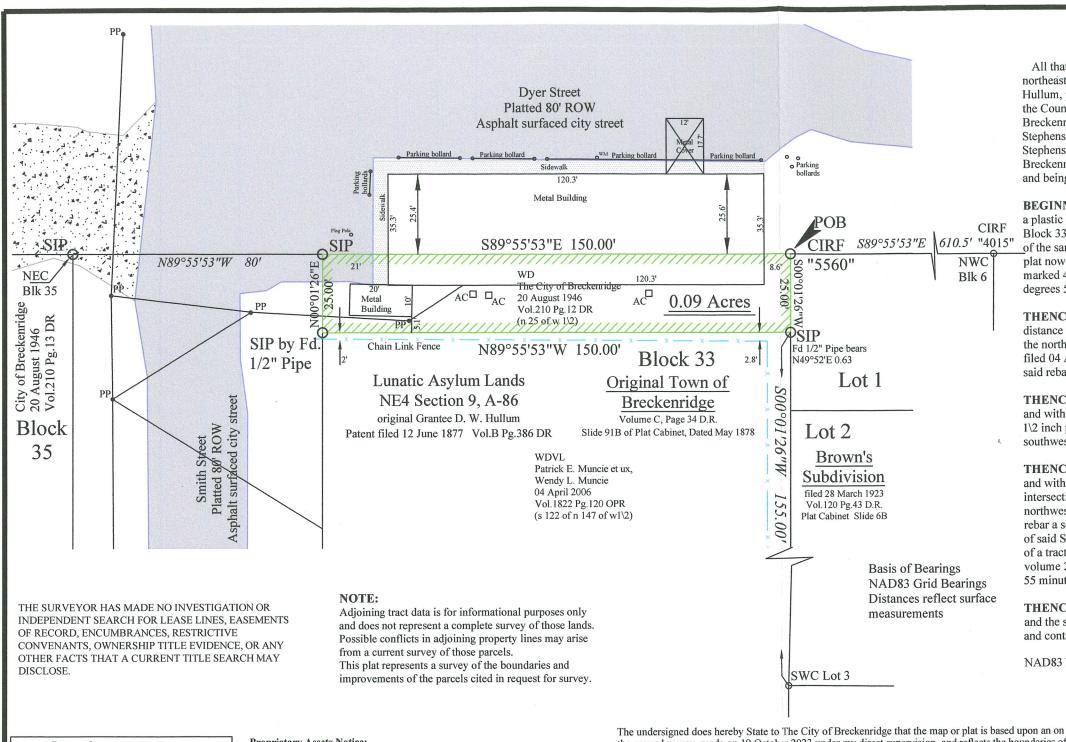
northeast corner of said Block 35, same being the northeast corner of a tract as described in deed to the City of Breckenridge, filed 20 August 1946, and recorded in volume 210 page 13 of said deed records, surveyed concurrently this date bears North 89 degrees 55 minutes 53 seconds West, a distance of City tract, same being the northwest corner of said Block 33, from said rebar a set 1\2 inch rebar at the intersection of the south line of said Dyer Street and the west line of said Smith Street being the the east line of said Smith Street, a distance of 25.00 feet to a set 1/2 inch rebar at the intersection of the east line of said Smith Street, and the south line of said Dyer Street for the northwest corner of said THENCE: North 00 degrees 01 minutes 26 seconds East, with the west line of said Block 33, and with

containing 0.09 of an acre of land. **THENCE:** South 89 degrees 55 minutes 53 seconds East, with the north line of said Block 33 and the south line of said Dyer Street, a distance of 150.00 feet to the **POINT OF BEGINNING** and

NAD83 NCTZ Grid Bearings.



Eric Brennan, Texas Registered Professional Land Surveyor Number 5560 Dated 23 October 2023



METES AND BOUNDS DESCRIPTION 0.09 Acre Tract.

All that certain 0.09 acre tract or parcel of land situated in the City of Breckenridge in the northeast quarter of Section 9, of the Lunatic Asylum Lands, original grantee and patentee D. W. Hullum, patent filed 12 June 1877, and recorded in volume B page 386 of the Patent Records of the County of Stephens State of Texas, said tract being part of Block 33 of Original Town Plat of Breckenridge, dated May 1878, and recorded in volume C page 34 of the Deed Records of Stephens County, plat now located in slide 91A of the Plat Cabinet of the Plat Records of said Stephens County, and said tract being all of a tract as described in deed to The City of Breckenridge, filed 20 August 1946, and recorded in volume 210 page 12 of said deed records, and being more particularly described as follows;

BEGINNING for the northeast corner of the tract being described herein at a found iron rod with a plastic cap marked 5560 on the south line of Dyer Street, same being the north line of said Block 33, said rod being the northwest corner of Lot 1 of Brown's Subdivision, according to plat of the same filed 28 March 1923, and recorded in volume 120 page 43 of said deed records, said plat now located in Slide 6B of said plat cabinet, from said rod a found iron rod with a plastic cap marked 4015 being the northwest corner of Block 6 of said original town plat bears South 89 degrees 55 minutes 53 seconds East, a distance of 610.50 feet;

THENCE: South 00 degrees 01 minutes 26 seconds West, with the west line of said Lot 1, a distance of 25.00 feet to a set 1\2 inch rebar for the southeast corner of said City tract, same being the northeast corner of a tract as described in deed to Patrick E. Muncie et ux, Wendy L. Muncie, filed 04 April 2006, and recorded in volume 1822 page 120 of said official public records, from said rebar a found 1\2 inch pipe bears North 49 degrees 52 minutes East, a distance of 0.63;

THENCE: North 89 degrees 55 minutes 53 seconds West, with the south line of said City tract, and with the north line of said Muncie tract, a distance of 150.00 feet to a set 1/2 rebar by a found 1\2 inch pipe on the east line of Smith Street same being the west line of said Block 33 for the southwest corner of said City tract, same being the northwest corner of said Muncie tract;

THENCE: North 00 degrees 01 minutes 26 seconds East, with the west line of said Block 33, and with the east line of said Smith Street, a distance of 25.00 feet to a set 1/2 inch rebar at the intersection of the east line of said Smith Street, and the south line of said Dyer Street for the northwest corner of said City tract, same being the northwest corner of said Block 33, from said rebar a set 1\2 inch rebar at the intersection of the south line of said Dyer Street and the west line of said Smith Street being the northeast corner of said Block 35, same being the northeast corner of a tract as described in deed to the City of Breckenridge, filed 20 August 1946, and recorded in volume 210 page 13 of said deed records, surveyed concurrently this date bears North 89 degrees 55 minutes 53 seconds West, a distance of 80.00 feet;

THENCE: South 89 degrees 55 minutes 53 seconds East, with the north line of said Block 33 and the south line of said Dyer Street, a distance of 150.00 feet to the POINT OF BEGINNING and containing 0.09 of an acre of land.

NAD83 NCTZ Grid Bearings.

1'' = 20'

Legend

PP= Power Pole SIP= Set 1\2 inch Rebar with plastic cap marked **OWEN SURV 5560**

-E-= Electric X-=Fence

-ECT-= Electric, Cable, Telephone Line

WM= Water Meter GM= Gas Meter

FIR= Fd iron rod

BOC= Back of Curb

C/O= Sewer Clean Out

Proprietary Assets Notice:

This plat and its accompanying field notes, which have been digitally saved, are the exclusive proprietary assets of this surveyor and Owen Surveying Company and therefore all rights for its use are hereby reserved. Any alteration or changes to the original digital copy which is not authorized in writing by this surveyor and Owen Surveying Company is strictly prohibited. Any Alteration to any digital copy of said plat or field notes shall make the unauthorized copy null and void. This surveyor and Owen Surveying Company are not liable for any document that has been altered by any means from its original which was signed, approved and provided by this surveyor and company to its customer. This surveyor and Owen Surveying reserve the right to seek independent legal redress and demand damages for any individual or company making any unauthorized alterations or changes to the original document or any person or company intentionally making use of a document that is known to have unauthorized alterations. If any person becomes aware or has knowledge of any unauthorized use or alteration of this plat or field notes, then that person shall promptly notify this surveyor or Owen Surveying of such unauthorized use or alteration or that person shall become liable for the unauthorized use.

the ground survey, made on 19 October 2023 under my direct supervision, and reflects the boundaries of the parcel as cited in request for survey, this property has access to a public roadway as shown.

This Plat and description was prepared for the exclusive use of the person or persons named in the above statements. Said statement does not extend to any unnamed person without an express restating by the surveyor naming said person. This survey was prepared for the transaction as dated hereon, and IS NOT to be used in any other transactions, and the copyrights are reserved.

ERIC BRENNAN 5560 OFESSION SURVE

ERIC BRENNAN, TEXAS REGISTERED PROFESSIONAL **NUMBER 5560**

Owen Surveying Co., Copyrights Reserved 2023

Boundary survey on 0.09 Acres being part of Block 33, of the Original Town of Breckenridge, City of Breckenridge, County of Stephens, State of Texas

FIRM #10069000 WWW.OWENSURVEYING.COM 110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424 PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

> **BOUNDARY PLAT: STEPHENS COUNTY** DRAWN BY: CH CHECKED BY: EB

Print Number Date: Scale:

23 October 2023

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