

**CITY OF STEPHENVILLE
PLANNING AND ZONING COMMISSION MEETING**

City Hall Council Chambers, 298 W. Washington
Wednesday, December 20, 2023, at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, December 20, 2023, 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
Nick Robinson
Justin Allison
Mary Beach McGuire
Paul Ashby
Tyler Wright
Justin Slawson - Alternate 2

COMMISSIONERS ABSENT: Bonnie Terrell - 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 PM.

MINUTES

- 1. Consider Approval of Minutes - November 15, 2023**
MOTION by Brian Lesley, second by Paul Ashby to approve the minutes for November 15, 2023. MOTION CARRIED by unanimous vote of Commissioners that were present at the November 15, 2023 meeting.

- 2. Consider Approval of Minutes - December 4, 2023**
MOTION by Brian Lesley, second by Taylor Wright to approve the minutes for December 4, 2023. MOTION CARRIED by unanimous vote of Commissioners that were present at the December 4, 2023 meeting.

PUBLIC HEARING

3. Case No.: AS2023-002

Abandonment of a portion of Saint Felix Street, from West Turner Street to West Tarleton Street of the Groesbeck & McClelland Subdivision of the City of Stephenville.

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen stated that the City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements. Mr. Killen reminded the Commissioners that Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. Director Killen shared with the Commission that Public Works provided the following comments: a 15-ft. wide Municipal Utility Easement is needed for Water and Sewer mains to service one house at this location - 190 Saint Felix and final easement dimensions will be identified by survey.

Chairperson LaTouche opened the public hearing at 5:36 PM.

No one spoke in favor or against the street abandonment request.

Chairperson LaTouche closed the public hearing at 5:36 PM.

MOTION by Paul Ashby, second by Brian Lesley, to recommend to the City Council to abandon as presented a portion of Saint Felix Street, from West Turner Street to West Tarleton Street of the Groesbeck & McClelland Subdivision of the City of Stephenville. MOTION CARRIED 6-1, with Justin Allison casting the dissenting vote.

4. Case No.: AS2023-003

Abandonment of a portion of Saint Peter Street, from West Washington Street to West Tarleton Street of the Groesbeck & McClelland Subdivision of the City of Stephenville.

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen stated that the City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements. Mr. Killen reminded the Commissioners that Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. Director Killen shared with the Commission that Public Works provided the following comments: 30-ft. wide Municipal Utility Easement from Washington to Saint Peter is needed for a 14- inch Water Distribution Line and a 6-inch Water Transmission Line while abandoning a 3/4- inch Water Distribution Line (acting as a service line) and a 6-inch sanitary sewer line. Final easement dimensions will be identified by survey.

Chairperson LaTouche opened the public hearing at 5:38 PM.

No one spoke in favor or against the street abandonment request.

Chairperson LaTouche closed the public hearing at 5:38 PM.

MOTION by Nick Robinson, second by Mary Beach McGuire, to recommend to the City Council to abandon as presented a portion of Saint Peter Street, from West Washington Street to West Tarleton Street of the Groesbeck & McClelland Subdivision of the City of Stephenville. MOTION CARRIED 6-1, with Justin Allison casting the dissenting vote.

**5. Case No.: A52023-004
Abandonment of a portion of Jones Street, from North Cain Street to North Lillian Street of the College Heights Subdivision of the City of Stephenville.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen stated that the City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements. Mr. Killen reminded the Commissioners that Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. Director Killen shared with the Commission that Public Works provided the following comments: 15-ft. wide Municipal Utility Easement is needed for 6-inch Water Line to keep water system looped while abandoning an 8-inch sanitary sewer line. Final easement dimensions will be identified by survey.

Chairperson LaTouche opened the public hearing at 5:39 PM.

No one spoke in favor or against the street abandonment request.

Chairperson LaTouche closed the public hearing at 5:40 PM.

MOTION by Mary Beach McGuire, second by Nick Robinson, to recommend to the City Council to abandon as presented a portion of Jones Street, from North Cain Street to North Lillian Street of the College Heights Subdivision of the City of Stephenville. MOTION CARRIED 6-1, with Justin Allison casting the dissenting vote.

**6. Case No.: A52023-005
Abandonment of a portion of Cain Street, from West Jones Street to West Vanderbilt Street of the College Heights Subdivision of the City of Stephenville.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen stated that the City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements. Mr. Killen reminded the Commissioners that Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. Director Killen shared with the Commission that Public Works provided the following comments: 15-ft. wide Municipal Utility Easement is needed for 6-inch Water Line to keep water system looped while abandoning a 6-inch sanitary sewer line. Final easement dimensions will be identified by survey.

Chairperson LaTouche opened the public hearing at 5:41 PM.

No one spoke in favor or against the street abandonment request.

Chairperson LaTouche closed the public hearing at 5:41 PM.

MOTION by Mary Beach McGuire, second by Paul Ashby, to recommend to the City Council to abandon as presented a portion of Cain Street, from West Jones Street to West Vanderbilt Street of the College Heights Subdivision of the City of Stephenville. MOTION CARRIED 5-2, with Justin Allison and Brian Lesley casting the dissenting votes.

7. Case No.: AS2023-006

Abandonment of a portion of Vanderbilt Street, from North Cain Street to North Neblett Street of the College Heights Subdivision of the City of Stephenville.

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen stated that the City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements. Mr. Killen reminded the Commissioners that Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. Director Killen shared with the Commission that Public Works provided the following comments: 15-ft. wide Municipal Utility Easement is needed for an 8-inch Water Line to keep water system looped while abandoning a 6-inch sanitary sewer line. Final easement dimensions will be identified by survey.

Chairperson LaTouche opened the public hearing at 5:45 PM.

No one spoke in favor or against the street abandonment request.

Chairperson LaTouche closed the public hearing at 5:45 PM.

MOTION by Mary Beach McGuire, second by Tyler Wright, to recommend to the City Council to deny the abandonment as presented of a portion of Vanderbilt Street, from North Cain Street to North Neblett Street of the College Heights Subdivision of the City of Stephenville. MOTION CARRIED with a 4-3 vote.

AYES: Justin Allison, Mary Beach McGuire, Brian Lesley, Paul Ashby

NOES: Tyler Wright, Lisa LaTouche, Nick Robinson

8. Case No.: AS2023-007

Abandonment of a portion of Neblett Street, from West Jones Street to West Vanderbilt Street of the College Heights Subdivision of the City of Stephenville.

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen stated that the City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements. Mr. Killen reminded the Commissioners that Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. Director Killen shared with the Commission that Public Works provided the following comments: 15-ft. wide Municipal Utility Easement is needed for a 2-inch Water Line to keep water system looped while abandoning

a 6-inch sanitary sewer line. Final easement dimensions will be identified by survey.

Chairperson LaTouche opened the public hearing at 5:50 PM.

No one spoke in favor or against the street abandonment request.

Chairperson Larouche closed the public hearing at 5:50 PM.

MOTION by Mary Beach McGuire, second by Tyler Wright, to recommend to the City Council to deny the abandonment as presented of a portion of Neblett Street, from West Jones Street to West Vanderbilt Street of the College Heights Subdivision of the City of Stephenville. MOTION CARRIED with a 5-2 vote.

AYES: Tyler Wright, Justin Allison, Mary Beach McGuire, Brian Lesley, Paul Ashby

NOES: Lisa Larouche, Nick Robinson

9. Case No.: RZ2023-008

Applicant Kimberly Hammon is requesting a rezone for property located at 252 E Tarleton, being Parcel R29602, Acres 0.227, S2600 CITY ADDITION; BLOCK 63; LOT 22 of the City of Stephenville, Erath County, Texas from (B-1) Neighborhood Business to (B-3) Central Business District.

Development Services Director, Steve Killen gave the following report: The aforementioned property has a current zoning of (B-1) Neighborhood Business and the Future Land Use for the property is designated as B-3 Central Business District. The applicant is requesting a rezone to Central Business District (B-3) which will allow her to market the current dwelling that is on the property as either a Bed and Breakfast or a rental unit. Mr. Killen concluded his brief by stating that staff supports this rezone request.

Kimberly Hammon was present to answer the Commissioners questions.

Chairperson Larouche opened the public hearing at 5:58 PM.

No one spoke in favor or against the rezone request.

Chairperson Larouche closed the public hearing at 5:58 PM.

MOTION by Mary Beach McGuire, second by Nick Robinson, to recommend approval to the City Council for the rezone of property located at 252 E Tarleton, being Parcel R29602, Acres 0.227, S2600 CITY ADDITION; BLOCK 63; LOT 22 of the City of Stephenville, Erath County, Texas from (B-1) Neighborhood Business to (B-3) Central Business District. MOTION CARRIED by a unanimous vote.

10. case No.: PP2023-004

Applicant Reagan Thompson, representing TSU Catholic, LLC is requesting a preliminary plat of properties located at 1292 W Washington, Parcel R77944, being BLOCK 134; LOTS 12;18;308;31 (PTS OF) of the CITY ADDITION, 1334 W Washington, Parcel R30249, being BLOCK 134; LOT 40, ATM MACHINE of the CITY ADDITION, 1350 W Washington, Parcel R30251, being BLOCK 134; LOTS 1;5;28 of the CITY ADDITION, 1303 McNeill, Parcel R30272, being BLOCK 134; LOT 32 of the CITY ADDITION, 1345 McNeill, Parcel R30271, being BLOCK 134; LOT 31 (S150) of the CITY ADDITION, and 1353 McNeill, Parcel R30270, being BLOCK 134; LOT 30A of the CITY ADDITION to the City of Stephenville, Erath County, Texas.

Development Services Director, Steve Killen gave the following report: In May 2023, the property was rezoned to Planned Development and Mr. Thompson has recently received his approved civil plan set. Originally Mr. Thompson submitted a Preliminary Plat, however construction will begin very soon and approving this as the Final Plat with conditions will allow for a quicker transition from completion and acceptance of public improvements to the recordation of the Final Plat and issuance of the Building Permit for vertical construction. Director Killen concluded his report by recommending approval of the Final Plat upon completion of the following conditions as noted per the requirements of Chapter 155:

1. Obtain acceptance on all public improvements; or, pursuant to Ch. 155.5.05 of the Code of Ordinances, enter into an escrow agreement for the completion of public improvements.
2. Title as Final Plat.
3. Provide setbacks for each lot as approved with the Planned Development.

Reagan Thompson was not present to answer the Commissioners questions.

Chairperson LaTouche opened the public hearing at 6:05 PM.

No one spoke in favor or against the request.

Chairperson Larouche closed the public hearing at 6:05 PM.

MOTION by Brian Lesley, second by Nick Robinson, to approve with conditions a Final Plat for properties located at 1292 W Washington, Parcel R77944, being BLOCK 134; LOTS 12;18;308;31 (PTS OF) of the CITY ADDITION, 1334 W Washington, Parcel R30249, being BLOCK 134; LOT 40, ATM MACHINE of the CITY ADDITION, 1350 W Washington, Parcel R30251, being BLOCK 134; LOTS 1;5;28 of the CITY ADDITION, 1303 McNeill, Parcel R30272, being BLOCK 134; LOT 32 of the CITY ADDITION, 1345 McNeill, Parcel R30271, being BLOCK 134; LOT 31 (S150) of the CITY ADDITION, and 1353 McNeill, Parcel R30270, being BLOCK 134; LOT 30A of the CITY ADDITION to the City of Stephenville, Erath County, Texas.

MOTION CARRIED by a unanimous vote.

11. Case No.: SV2023-003

Applicant Niraj Patel, representing DNJ's Investment, LLC, is requesting an appeal for a Subdivision Waiver denial regarding Section 155.6.11 - Sidewalk Requirements, to be constructed at 3015 Northwest Loop, Parcel R63719, Acres 2.730, S2600 CITY ADDITION;, BLOCK 161;, LOT I; of the City of Stephenville, Erath County, Texas.

Development Services Director, Steve Killen briefed the Commission regarding the appeal. On October 19, 2023, Mr. Patel was informed that the Curb and Gutter waiver request was approved, but the Sidewalk waiver request was denied. Subsequently on November 21, 2023, Mr. Patel submitted a letter to the City Manager requesting an appeal to the Minor Subdivision Waiver denial. Section (J) of the Sidewalk Subdivision Ordinance Sec. 155.6.11. allows for an appeal to be submitted within thirty (30) calendar days following the denial decision. Mr. Killen concluded his brief by stating that staff does not support the appeal.

Niraj Patel was not present to answer the Commissioners questions.

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

No one spoke in favor or against the appeal.

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

MOTION by Brian Lesley, second by Mary Beach McGuire, to recommend denial of the Subdivision Waiver appeal regarding Section 155.6.11 - Sidewalk Requirements to be constructed at 3015 Northwest Loop, Parcel R63719, Acres 2.730, S2600 CITY ADDITION;, BLOCK 161;, LOT 1; of the City of Stephenville, Erath County, Texas. MOTION FAILED to receive a majority vote and therefore, the case will be forwarded to Council without a recommendation.

NOES: Justin Allison, Brian Lesley, Nick Robinson, Paul Ashby

AYES: Tyler Wright, Mary Beach McGuire, Lisa LaTouche

ADJOURN

The meeting was adjourned at 6:13 PM.

APPROVED:

/s/

Lisa LaTouche, Chair

ATTEST:

/s/ Tina Cox