



## PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington  
Wednesday, November 15, 2023 at 5:30 PM

### AGENDA

#### CALL TO ORDER

#### MINUTES

- [1.](#) Consider Approval of Minutes for October 18, 2023

#### PUBLIC HEARING

- [2.](#) Case No.: PD2022-003 - UPDATE

Applicant 2828 Real Estate LLC, pursuant to the requirements set forth by Section 154.08 of the City of Stephenville Zoning Ordinance, is presenting an update and requesting an extension of the development schedule for the Planned Development located at 1300 Pecan Hill Drive, Parcel R50244, being Lot 1 of S5465 Glasgow Addition of the City of Stephenville, Erath County, Texas.

- [3.](#) Case No.: RZ2023-007

Applicant Rhyné Gailey, representing V84 Holdings, LLC, is requesting a rezone of property located at 1900 Groesbeck, Parcel R71065, Acres 5.000, S2600 CITY ADDITION, BLOCK 149, LOT 2 (PT OF) of the City of Stephenville, Erath County, Texas from (Ind) Industrial to (R-3) Multi-Family Residential District.

- [4.](#) Case No.: FP2023-005

Applicant Ward Rabb, representing Attwood's Distributing LP, is requesting approval of a Final Plat for property located at 1800 N US HWY 281, Parcel R77945, Acres 11.961, A0804 WILLIAMS M R, of the City of Stephenville, Erath County, Texas.

- [5.](#) Case No.: RP2023-002

Applicant Malcolm Kanute of Bosque Clark, LLC is requesting an approval of a replat of the properties located at Prairie Wind (OFF), Parcel R63099, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 2 of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63100, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 3 of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63101, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 4 of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63105, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 5 (W PT OF) of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63113, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 6 (W PT OF) of the City of Stephenville, Erath County, Texas; 0 River North, Parcel R40037, of A0032 BLAIR JOHN of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R14960, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 7 (W PT OF) of the City of Stephenville, Erath County, Texas.

**6. Case No.: PP2023-002**

Applicant Reece Flanagan of Flanagan Land Solutions, representing Joel Allen with Pecan Landing Development, Inc. is requesting a preliminary plat of property located at 0 Forest Lane, Parcel R77510, Acres 36.765, A0515 MOTLEY WILLIAM, of the City of Stephenville, Erath County, Texas. The Applicant is requesting approval of a preliminary plat of 1 lot into 157 lots.

**7. Case No.: PP2023-003**

Applicant Reece Flanagan of Flanagan Land Solutions, representing Troy Kunkel with Cowtown Properties and 598 Westwood LLC, is requesting to amend the Planned Development/Preliminary Plat of properties located at 817 W. Washington, being Parcel 29583 of CITY ADDITION, BLOCK 62, LOT 6A;7;14;17; (PT, OF 14), 855 and 865 W. Washington, being Parcel R29581 of CITY ADDITION, BLOCK 62; LOTS 4;5;6B (PT, OF 5), 873 W. Washington, being Parcel R29580 of CITY ADDITION, BLOCK 62; LOT 3, and 897 W Washington, being Parcel R29579 of CITY ADDITION, BLOCK 62; LOT 2 of the City of Stephenville, Erath County, Texas.

**8. Case No.: RZ2023-008**

Applicant Reece Flanagan of Flanagan Land Solutions, representing Troy Kunkel with Cowtown Properties, is requesting a rezone of property located at 897 W Washington, being Parcel R29579, S2600 CITY ADDITION, BLOCK 62, LOT 2 of the City of Stephenville, Erath County, Texas from (B-2) Retail and Commercial to (PD) Planned Development.

**ADJOURN**

***In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.***



## PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington  
 Wednesday, October 18, 2023 at 5:30 PM

### MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, October 18, 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  
 Justin Allison  
 Paul Ashby  
 Tyler Wright  
 Bonnie Terrell – Alternate 1  
 Justin Slawson – Alternate 2

**COMMISSIONERS ABSENT:** Mary Beach-McGuire  
 Nick Robinson

**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 – September 20, 2023**

MOTION by Brian Lesley, second by Tyler Wright to approve the minutes for September 20, 2023.  
 MOTION CARRIED by unanimous vote of Commissioners that were present at the September 20, 2023 meeting.

**2. Consider Approval of Minutes – October 9, 2023**

MOTION by Brian Lesley, second by Paul Ashby to approve the minutes for October 9, 2023.  
 MOTION CARRIED by unanimous vote of Commissioners that were present at the October 9, 2023 meeting.

## PUBLIC HEARING

### 3. Case No.: PD2022-003 – UPDATE

**Applicant Scott Allen, representing Stephenville Rentals LLC, pursuant to the requirements set forth by Section 154.08 of the City of Stephenville Zoning Ordinance, is presenting an update and requesting an extension of the development schedule for the Planned Development located at 157 W. Washington, Parcel R29179, being Block 5, Lot C of City Addition to the City of Stephenville, Erath County, Texas.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen reminded the Commission that on June 15, 2022, they met to hear the original case and by a unanimous vote, recommended the City Council approve the rezoning request. Subsequently, on July 5, 2022, the City Council approved Ordinance No. 2022-O-20, rezoning the property from Downtown District (DT) to Planned Development District (PD) and per city ordinance, Planned Developments require annual updates be made to the Commission. Mr. Killen stated that according to Mr. Allen's updated timeline that was submitted, both units should be completed by April 2025.

Mr. Allen was not present to answer the Commissioners questions.

Chairperson LaTouche opened the public hearing at 5:34 PM.

No one spoke in favor or against the development plan update request.

Chairperson LaTouche closed the public hearing at 5:34 PM.

MOTION by Paul Ashby, second by Brian Lesley, to recommend the City Council approve the modified Development Schedule as presented for the Planned Development located at 157 W. Washington, Parcel R29179, being Block 5, Lot C of City Addition to the City of Stephenville, Erath County, Texas. MOTION CARRIED by a unanimous vote.

### 4. Case No.: PD2022-004 – UPDATE

**Applicant Scott Allen, representing Stephenville Rentals LLC, pursuant to the requirements set forth by Section 154.08 of the City of Stephenville Zoning Ordinance, is presenting an update and requesting an extension of the development schedule for the Planned Development located at 171 W. Washington, Parcel R29178, being Block 5, Lot B of City Addition to the City of Stephenville, Erath County, Texas.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen reminded the Commission that on June 15, 2022, they met to hear the original case and by a unanimous vote, recommended the City Council approve the rezoning request. Subsequently, on July 5, 2022, the City Council approved Ordinance No. 2022-O-21, rezoning the property from Downtown District (DT) to Planned Development District (PD) and per city ordinance, Planned Developments require annual updates be made to the Commission.

Mr. Allen was not present to answer the Commissioners questions.

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

No one spoke in favor or against the development plan update request.

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

MOTION by Brian Lesley, second by Tyler Wright, to recommend the City Council approve the modified Development Schedule as presented for the Planned Development located at 171 W. Washington, Parcel R29179, being Block 5, Lot B of City Addition to the City of Stephenville, Erath County, Texas. MOTION CARRIED by a unanimous vote.

**ADJOURN**

The meeting was adjourned at 5:35 PM.

APPROVED:

ATTEST:

\_\_\_\_\_  
Lisa LaTouche, Chair

\_\_\_\_\_  
Tina Cox, Commission Secretary



# STAFF REPORT

**SUBJECT:** Case No.: PD2022-001 – UPDATE

Applicant 2828 Real Estate LLC, pursuant to the requirements set forth by Section 154.08 of the City of Stephenville Zoning Ordinance, is presenting an update and requesting an extension of the development schedule for the Planned Development located at 1300 Pecan Hill Drive, Parcel R50244, being Lot 1 of S5465 Glasgow Addition of the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

**RECOMMENDATION:**

To consider the modified Development Schedule and provide a recommendation to the City Council.

**BACKGROUND:**

The Planning and Zoning Commission convened on May 18, 2022, and by a unanimous vote, recommended the City Council approve the rezoning request. Subsequently, on June 7, 2022, the City Council approved Ordinance No. 2022-O-16, rezoning the property from Single Family Residential District (R-1) to Planned Development District (PD).

City ordinance requires annual updates to the Commission.



**DESCRIPTION OF REQUESTED ZONING**

**Sec. 154.08. Planned development district (PD).**

**8.A Description.**

- (1) Planned development districts are designed for greater flexibility and discretion in the application of residential and non-residential zoning and for increased compatibility and the more effective

mitigation of potentially adverse impacts on adjacent land than is possible under standard district regulations. It is recognized that it is desirable for certain areas of the city to be developed in accordance with development plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.

- (2) Improvements in a "PD" District are subject to conformance with a development plan approved by the City Council on Planning and Zoning Commission recommendation and after public hearing thereon. No development plan may increase gross density in excess of that allowed by the base district.

**8.B Permitted Uses.** In a PD Development District, no land shall be used, and no building shall be installed, erected for/or converted to any use other than a hereinafter provided.

*NON-RESIDENTIAL PLANNED DEVELOPMENTS.* Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Non-residential uses are situated such that an appreciable amount of land is available for open space or joint use as parking space and is integrated throughout the planned development;
- (3) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (4) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional non-residential projects; and
- (5) The project provides a compatible transition between adjacent existing single-family residential projects and provides a compatible transition for the extension of future single-family projects into adjacent undeveloped areas.

*RESIDENTIAL PLANNED DEVELOPMENT.* Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Dwelling units are situated such that an appreciable amount of land for open space is available and is integrated throughout the planned development;
- (3) The project utilizes an innovative approach in lot configuration and mixture of single-family housing types;
- (4) Higher densities than conventional single-family projects of the same acreage is achievable with appropriate buffering between existing conventional single-family developments and increased open space;
- (5) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (6) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional single-family projects; and
- (7) The project provides a compatible transition between adjacent existing conventional single-family residential projects and provides a compatible transition for the extension of future conventional single-family projects into adjacent undeveloped areas.

**8.C Prohibited Uses.**

- (1) Any building erected or land used for other than the use shown on the Planned Development Site Plan, as approved by the City Council.

- (2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimensions; and/or lot width, or exceeds the maximum height, building coverage or density per gross acreage as shown in the development's recorded Planned Development Site Plan, as approved by City Council.
- (3) Any use deemed by the City Council as being detrimental to the health, safety or general welfare of the citizens of Stephenville.

**8.D Ownership.** An application for approval of a Planned Development Plan under the Planned Development District regulations may be filed by a person having legal ownership of the property to be included in the Development Plan. In order to ensure unified planning and development of the property, the applicant shall provide evidence, in form satisfactory to the City Attorney, prior to final approval of the Development Plan, that the property is held in single ownership or is under single control. Land shall be deemed to be held in single ownership or under single control if it is in joint tenancy, tenancy in common, a partnership, a trust or a joint venture. The Development Plan shall be filed in the name(s) of the record owner(s) of the property, which shall be included in the application.

#### **8.E Development Schedule.**

- (1) An application for a Planned Development District shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, adopted and approved by the City Council, shall become part of the Planned Development Ordinance and shall be adhered to by the owner, developer and their assigns or successors in interest.
- (2) Annually, upon the anniversary date, or more frequently if required, the developer shall provide a written report to the Planning and Zoning Commission concerning the actual development accomplished as compared with the development schedule.
- (3) The Planning and Zoning Commission may, if in its opinion the owner or owners of the property are failing or have failed to meet the approved development schedule, initiate proceedings to amend the Official Zoning map or the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. After the recommendation of the Planning and Zoning commission and for good cause shown by the owner and developer, the City Council may extend the development schedule as may be indicated by the facts and conditions of the case.

**8.F Plat Requirements.** No application for a building permit for the construction of a building or structure shall be approved unless a plat, meeting all requirements of the City of Stephenville has been approved by the City Council and recorded in the official records of Erath County.

**8.G Concept Plan.** The applicant for any PD Planned Development shall submit a concept plan to the Planning and Zoning Commission for review prior to submitting a Development Plan. The concept plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

**8.H Development Plan Approval Required.** No building permit or certificate of occupancy shall be issued and no use of land, buildings or structures shall be made in the "PD" District until the same has been approved as part of a development plan in compliance with the procedures, terms and conditions of this section of the ordinance.

#### **8.I Approval Procedures.**

- (1) An application for development plan approval shall be filed with the Director of Community Development accompanied by a development plan.
- (2) The procedures for hearing a request for a zoning change to "PD" shall be the same as for a requested change to any other district as set forth Section 20 of the Zoning Ordinance.



- (3) Any substantive revision to a development plan between the public hearing before the Planning and Zoning Commission and the public hearing before the City Council shall necessitate the development plan being referred back to the Planning and Zoning Commission for review and evaluation unless the revision constitutes a minor change as provided below, or the change was condition of the approval.
- (4) Any revisions to the development plan after the public hearing before the City Council shall be submitted to the Director of Community Development for distribution, review and written evaluation by city staff prior to submission to and approved by the City Council.
- (5) Minor changes to an approved development plan, which will not cause any of the following circumstances to occur, may be authorized by the Director of Community Development or his or her designee:
  - (a) A change in the character of the development;
  - (b) An increase in the gross floor areas in structures;
  - (c) An increase in the intensity of use;
  - (d) A reduction in the originally approved separations between buildings;
  - (e) Any adverse changes in traffic circulation, safety, drainage and utilities;
  - (f) Any adverse changes in such external effects on adjacent property as noise, heat, light, glare, vibration, height scale or proximity;
  - (g) A reduction in the originally approved setbacks from property lines;
  - (h) An increase in ground coverage by structures;
  - (i) A reduction in the ratio of off-street parking and loading space; and
  - (j) A change in the size, height, lighting or orientation of originally approved signs.
- (6) The decision of the Director of Community Development or his or her designee as to whether minor changes are being requested may be appealed to the Planning and Zoning Commission. Any change deemed not to be minor change, as indicated above, shall be processed as a new application in accordance with the provisions of this section and Section 20.1 of the Zoning Ordinance.

**8.J Development Plan Requirements.** The development plan submitted in support of a request for development plan approval shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities and what protection features are included to insure that the development will be compatible with existing and allowable development on adjacent property. The development plan shall show at least the following items of information:

- (1) The location of all existing and planned non-single-family structures on the subject property;
- (2) Landscaping lighting and/or fencing and/or screening of common areas;
- (3) General locations of existing tree clusters, providing average size and number and indication of species;
- (4) Location and detail of perimeter fencing if applicable;
- (5) General description/location of ingress and egress with description of special pavement treatment if proposed;
- (6) Off-street parking and loading facilities, and calculations showing how the quantities were obtained for all non single-family purposes;
- (7) Height of all non-single-family structures;

- (8) Proposed uses;
- (9) Location and description of subdivision signage and landscaping at entrance areas;
- (10) Street names on proposed streets;
- (11) Proposed minimum area regulations including, set-backs, lot-sizes, widths, depths, side-yards, square footage or residential structures;
- (12) Indication of all development phasing and platting limits; and
- (13) Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.

#### **8.K Conditions for Development Plan Approval.**

- (1) A development plan shall be approved only if all of the following conditions have been found during the review and process:
  - (a) That the uses will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values with the immediate vicinity;
  - (b) That the establishment of the use or uses will not impede the normal and orderly development and improvements of surrounding vacant property;
  - (c) That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
  - (d) That the design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
  - (e) That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
  - (f) That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- (2) In approving a development plan, the City Council may impose additional conditions necessary to protect the public interest and welfare of the community.

**8.L Additional Conditions.** Every Planned Development District approved under the provisions of this Ordinance shall be considered as an amendment to the Ordinance applicable to the property involved. In an approved Planned Development District, the City Council may impose conditions relative to the standard of development, and such conditions shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the Planned Development District; and such condition shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be constructed as conditions precedent to the granting of a certificate of occupancy.

#### **8.M Revocation.**

- (1) Approval of a development plan may be revoked or modified, after notice and hearing, for either of the following reasons:
  - (a) Approval was obtained or extended by fraud or deception; or
  - (b) That one or more of the conditions imposed by the City Council on the development plan has not been met or has been violated.
- (2) Development controls:
  - (a) The City Council may impose more restrictive requirements than those proposed in the development plan in order to minimize incompatibilities;

- (b) A "PD" District shall have a minimum lot area of not less than one acre under unified control;
- (c) The parking requirements of the Zoning Ordinance shall apply to all uses in the "PD" District unless otherwise specified on the development plan; and
- (d) "PD" provisions may vary setbacks with approval.

#### **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) Recommend the City Council approve the modified Development Schedule.
- 2) Recommend the City Council deny the modified Development Schedule. Such action will require the removal of all or part of the Planned Development and cause placement in another zoning district.

**BOSQUE CONSTRUCTION SCHEDULE**

|                     |                 |           |
|---------------------|-----------------|-----------|
| <b>PROJECT NAME</b> | Justin Haschke  | 12/1/2023 |
|                     | CLIENT NAME     | DATE      |
| <b>LOCATION</b>     | Colby Pack      | 1         |
|                     | PROJECT MANAGER | PAGE      |

| WBS | WBS Name                     | Start Date | Finish Date | Duration<br>(in Day) | %<br>Completed | Comments |
|-----|------------------------------|------------|-------------|----------------------|----------------|----------|
| 1   | Proposal and Documentation   |            |             |                      |                |          |
| 2   | Design                       |            |             |                      |                |          |
| 3   | Contracts / Bids             |            |             |                      |                |          |
| 4   | Permits                      | 12/1/2023  | 12/7/2023   | 6                    |                |          |
| 5   | Inspections                  |            |             |                      |                |          |
| 6   | Site Preparation             | 12/1/2023  | 12/22/2023  | 21                   |                |          |
| 7   | Foundation/Concrete          | 12/15/2023 | 1/15/2024   | 31                   |                |          |
| 8   | Framing                      | 1/22/2024  | 2/26/2024   | 35                   |                |          |
| 9   | Roof                         | 2/12/2024  | 2/16/2024   | 4                    |                |          |
| 10  | Parking Lot                  | 3/4/2024   | 3/22/2024   | 18                   |                |          |
| 11  | Window / Doors               | 2/26/2024  | 3/1/2024    | 4                    |                |          |
| 12  | Plumbing / Electrical / HVAC | 3/11/2024  | 4/15/2024   | 35                   |                |          |
| 13  | Insulation / Drywall         | 4/22/2024  | 5/13/2024   | 21                   |                |          |
| 14  | Cabinets                     | 5/14/2024  | 5/24/2024   | 10                   |                |          |
| 15  | Painting                     | 5/14/2024  | 5/31/2024   | 17                   |                |          |
| 16  | Drop Ceiling                 | 5/27/2024  | 6/7/2024    | 11                   |                |          |
| 17  | Flooring                     | 6/10/2024  | 6/17/2024   | 7                    |                |          |
| 18  | Fixtures / Appliances        | 6/24/2024  | 6/28/2024   | 4                    |                |          |
| 19  | Landscaping                  | 4/22/2024  | 5/6/2024    | 14                   |                |          |
| 20  | Final Clean / Final Punch    | 7/1/2024   | 7/15/2024   | 14                   |                |          |
| 21  | Turn Over Building           | 8/1/2024   | 8/1/2024    | 0                    |                |          |

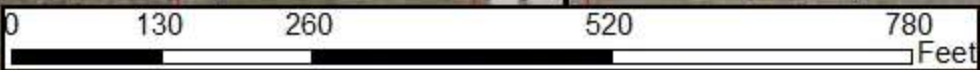
# 1300 Pecan Hill 200 ft Buffer

Item 2.



## Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# 1300 Pecan Hill Current Zoning - R1- Single Family

Item 2.



### Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- ZONING**
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



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# 1300 Pecan Hill Future Land Use - Neighborhood Business

Item 2.



### Legend

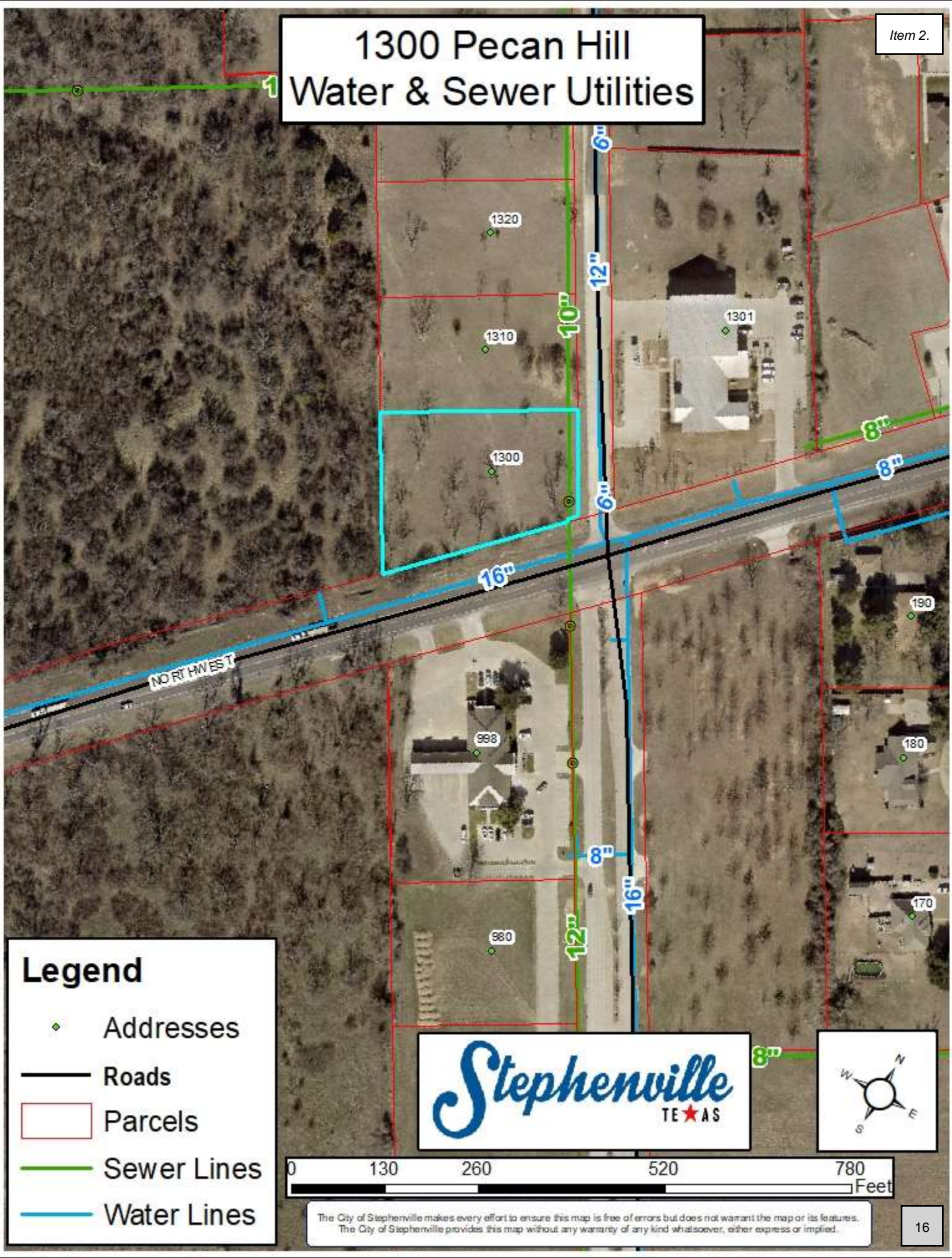
- ◆ Addresses
- Roads
- Parcels
- Future Use**
- Ag/Open Space
- Office/Neighbor\_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1\_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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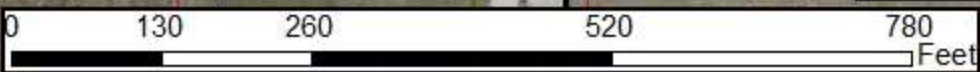
# 1300 Pecan Hill Water & Sewer Utilities

Item 2.



### Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Sewer Lines
- Water Lines



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# 1300 Pecan Hill Address List

Item 2.

| Parcel ID  | Parcel Address             | Parcel Owner                  | Owner Address          | City         | State | Zip Code   |
|------------|----------------------------|-------------------------------|------------------------|--------------|-------|------------|
| R000050244 | 1300 PECAN HILL DRIVE      | 2828 REAL ESTATE LLC          | 505 N GRAHAM           | STEPHENVILLE | TX    | 76401      |
| R000076924 | 1310 PECAN HILL DRIVE      | 2828 REAL ESTATE LLC          | 505 N GRAHAM           | STEPHENVILLE | TX    | 76401      |
| R000064345 | 991 WOLFE NURSERY RD       | ALLEN REAL PROPERTIES LTD     | PO BOX 953             | STEPHENVILLE | TX    | 76401      |
| R000073125 | 0 NORTHWEST LOOP           | BACHUS JAMES O FAMILY TRUST   | PO BOX 552             | STEPHENVILLE | TX    | 76401-0552 |
| R000064826 | 0 PECAN HILL DRIVE         | CITY OF STEPHENVILLE          | 298 W WASHINGTON       | STEPHENVILLE | TX    | 76401      |
| R000050276 | 1301 PECAN HILL DRIVE      | CITY OF STEPHENVILLE          | 298 W WASHINGTON       | STEPHENVILLE | TX    | 76401      |
| R000059541 | 0 WOLFE NURSEY RD & W FREY | CITY OF STEPHENVILLE          | 298 W WASHINGTON       | STEPHENVILLE | TX    | 76401-4257 |
| R000060086 | 0 PECAN HILL DR            | ERATH COUNTY                  | 100 W WASHINGTON       | STEPHENVILLE | TX    | 76401-0000 |
| R000076925 | 1320 PECAN HILL DRIVE      | HASCHKE JUSTIN & MIKAH TAYLOR | 1313 PRAIRIE WIND BLVD | STEPHENVILLE | TX    | 76401-5910 |
| R000022438 | 0 NORTHWEST LOOP           | SLADE CAPITAL LLC             | 530 W 30TH ST 16C      | NEW YORK     | NY    | 10001      |
| R000066704 | 998 WOLFE NURSERY RD       | TEXAS BANK                    | PO BOX 1429            | BROWNWOOD    | TX    | 76804      |



# STAFF REPORT

**SUBJECT:** Case No.: RZ2023-07

Applicant Rhyné Gailey, representing V84 Holdings, LLC, is requesting a rezone of property located at 1900 Groesbeck, Parcel R71065, Acres 5.000, S2600 CITY ADDITION, BLOCK 149, LOT 2 (PT OF) of the City of Stephenville, Erath County, Texas from (Ind) Industrial to (R-3) Multi-Family Residential District.

**DEPARTMENT:** Development Services

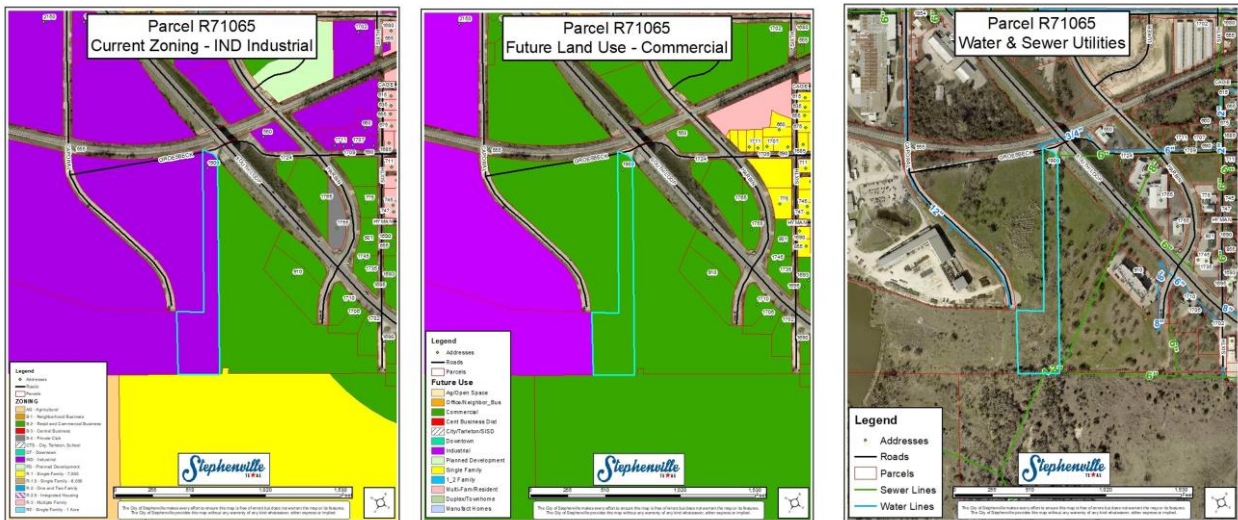
**STAFF CONTACT:** Steve Killen, Director of Development Services

## RECOMMENDATION:

The property has current zoning of IND, Industrial. The Future Land Use for this property is designated as B-2, Retail and Commercial.

## BACKGROUND:

### PROPERTY PROFILE:



### Sec. 154.05.6. Multiple family residential district (R-3).

**5.6.A Description.** This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes platted as one parcel and sole source management. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well-being of the intended district environment.

### 5.6.B Permitted Uses.

- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
- (2) Two-to-four family dwellings, with each family limited as in division (1) above;
- (3) Multiple family dwellings, with each family limited as in division (1) above; Student living complexes will be subject to a variance request for units designed to occupy more than three unrelated students per unit;
- (4) Assisted living center;
- (5) Convalescent, nursing or long term-care facility;
- (6) Retirement housing complex;
- (7) Accessory buildings;
- (8) Churches, temples, mosques and related facilities;
- (9) Community home;
- (10) Park or playground;
- (11) SISD school—public;
- (12) Bed and breakfast/boarding house;
- (13) Group day care home;
- (14) Registered family home;
- (15) Day care center; and
- (16) Fraternity or sorority house.

#### 5.6.C Conditional Uses.

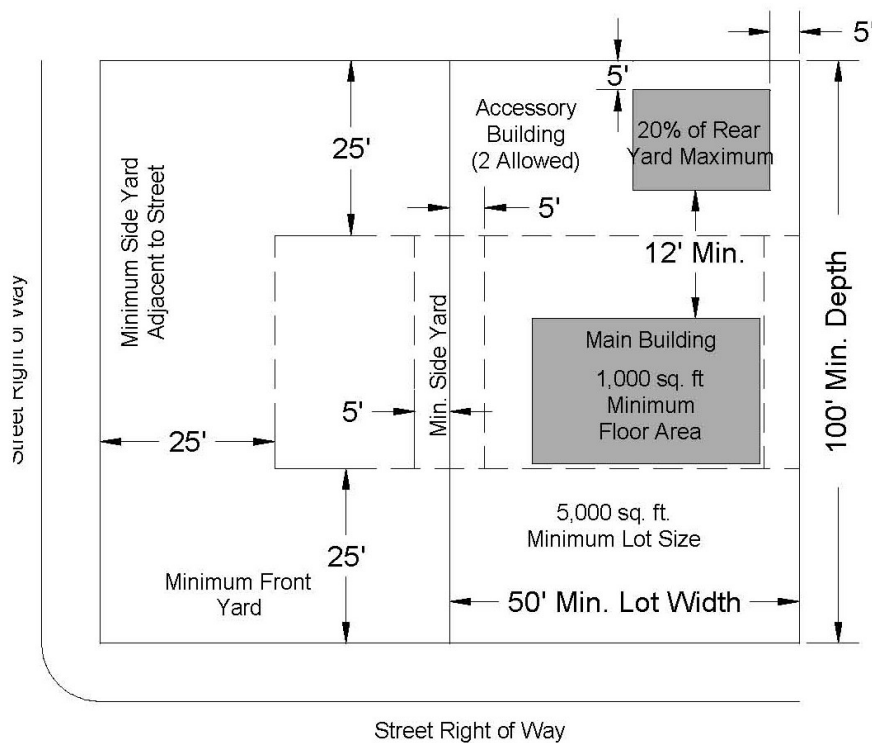
- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision;
- (3) Adult and/or children's day care centers;
- (4) Foster group home; and
- (5) Residence hall.

#### 5.6.D Height, Area, Yard and Lot Coverage Requirements.

- (A) *Single family dwelling.*
  - (1) Minimum lot area: 5,000 ft<sup>2</sup>.
  - (2) Minimum lot width and lot frontage: 50 feet.
  - (3) Minimum lot depth: 100 feet.
  - (4) Minimum depth of front setback: 25 feet.
  - (5) Minimum depth of rear setback: 25 feet.
  - (6) Minimum width of side setback:
    - (a) Internal lot: five feet.
    - (b) Corner lot: 25 feet from intersecting side street.
  - (7) Building size:
    - (a) Maximum coverage as a percentage of lot area: 40%.
    - (b) Single family dwelling: 1,000 ft<sup>2</sup>.
  - (8) Accessory buildings:

- (a) Maximum accessory buildings coverage of rear yard: 20%.
  - (b) Maximum number of accessory buildings: one.
  - (c) Minimum depth of side setback: five feet.
  - (d) Minimum depth of rear setback: five feet.
  - (e) 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.

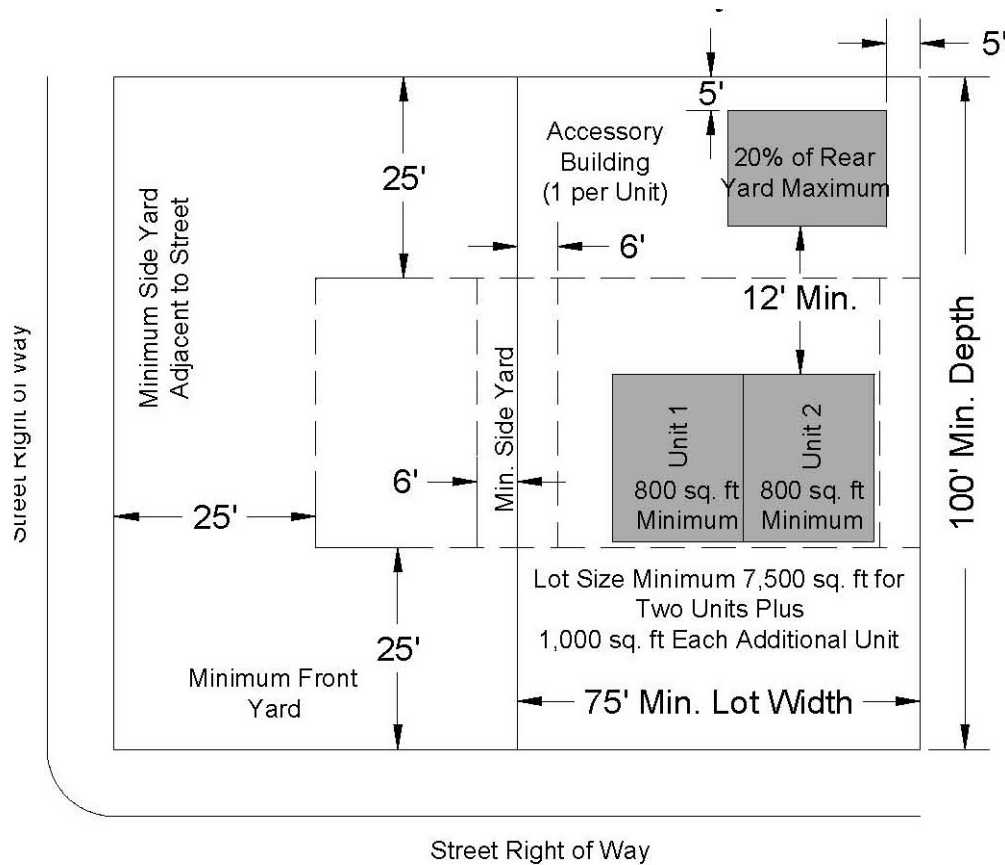
Height, Area, Yard and Lot Coverage Requirements  
Single-Family Dwelling



- (B) *Two-to-four family.*
  - (1) Minimum lot area: 7,500 ft<sup>2</sup> for two dwelling units, plus 1,000 ft<sup>2</sup> for each additional dwelling unit.
  - (2) Minimum lot width and lot frontage: 75 feet.
  - (3) Minimum lot depth: 100 feet.
  - (4) Minimum depth of front setback: 25 feet.
  - (5) Minimum depth of rear setback: 25 feet.
  - (6) Minimum width of side setback:
    - a) Internal lot: six feet.
  - (b) Corner lot: 25 feet from intersecting side street.
  - (7) Building size:
    - (a) Maximum coverage as a percentage of lot area: 40%.

- (b) Minimum area of each dwelling unit: 800 ft<sup>2</sup>.
- (8) Accessory buildings:
- Maximum accessory building coverage of rear yard: 20%.
  - Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - Maximum number of accessory buildings: one per unit.
  - Minimum depth of side setback: five feet.
  - Minimum depth of rear setback: five feet.
  - 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.

Height, Area, Yard and Lot Coverage Requirements  
Two-to-Four Family Dwelling



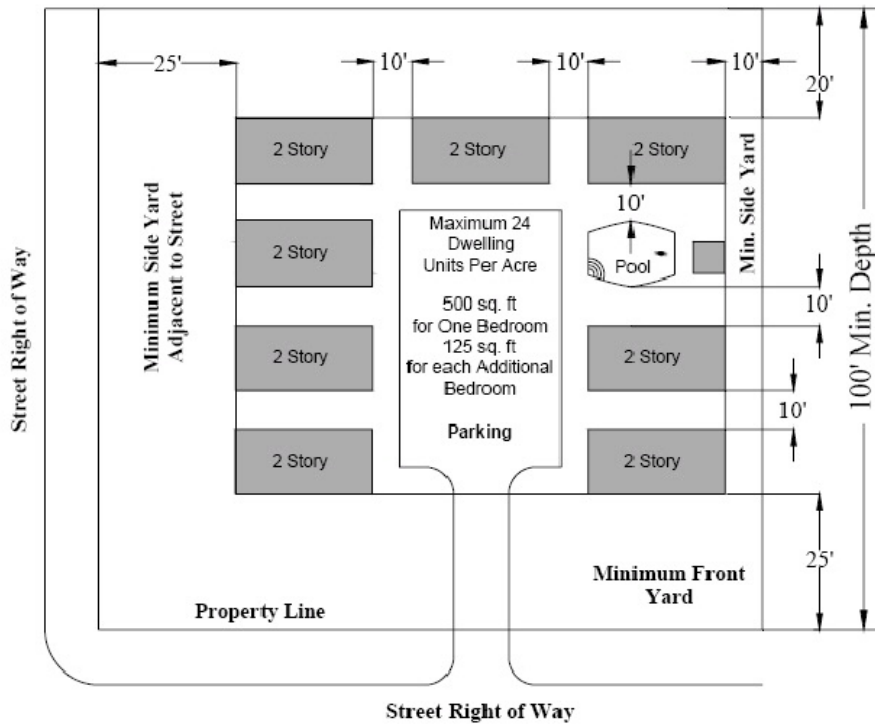
- (C) *Reserved.*
- (D) *Multiple family dwellings.*
- Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
  - Minimum lot depth: 100 feet.
  - Minimum depth of front setback: 25 feet.
  - Minimum depth of rear setback: 20 feet.

- (5) Minimum width of side setback:
  - a) Internal lot: ten feet.
  - b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less plus 125 ft<sup>2</sup> of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) 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.

Height, Area, Yard and Lot Coverage Requirements  
Multiple-Family Dwelling

**5.6.D Height, Area, Yard and Lot Coverage Requirements**

**Multiple Family Dwelling**



**5.6.E Parking Regulations.** Lots in this District shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley and meet all the pertinent requirements contained in Section 154.11 *Parking spaces for vehicles* of this ordinance. Student housing, whereby individual rooms are leased by unit, must require 1.5 spaces per rented bed.

**5.6.F Type of Construction.**

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.

#### 5.6.F Exterior Building Material Standards



(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011; Am. Ord. 2021-O-29, § 1, passed 9-7-2021)

#### FACTORS TO CONSIDER:

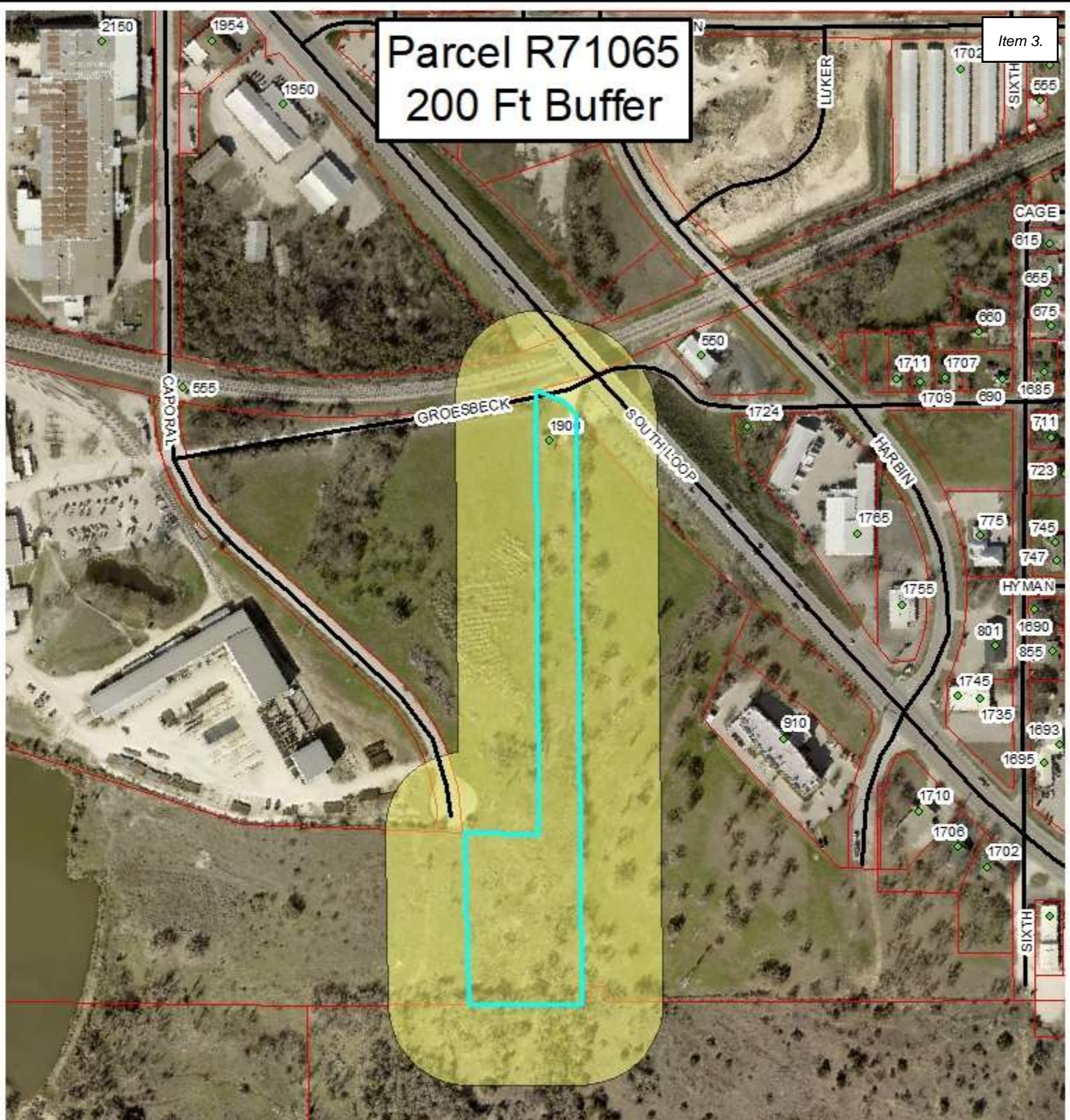
- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for 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 approve

#### ALTERNATIVES:

- 1) Recommend the City Council approve the rezoning request.
- 2) Recommend the City Council deny the rezoning request.

# Parcel R71065 200 Ft Buffer

Item 3.



**Legend**

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels

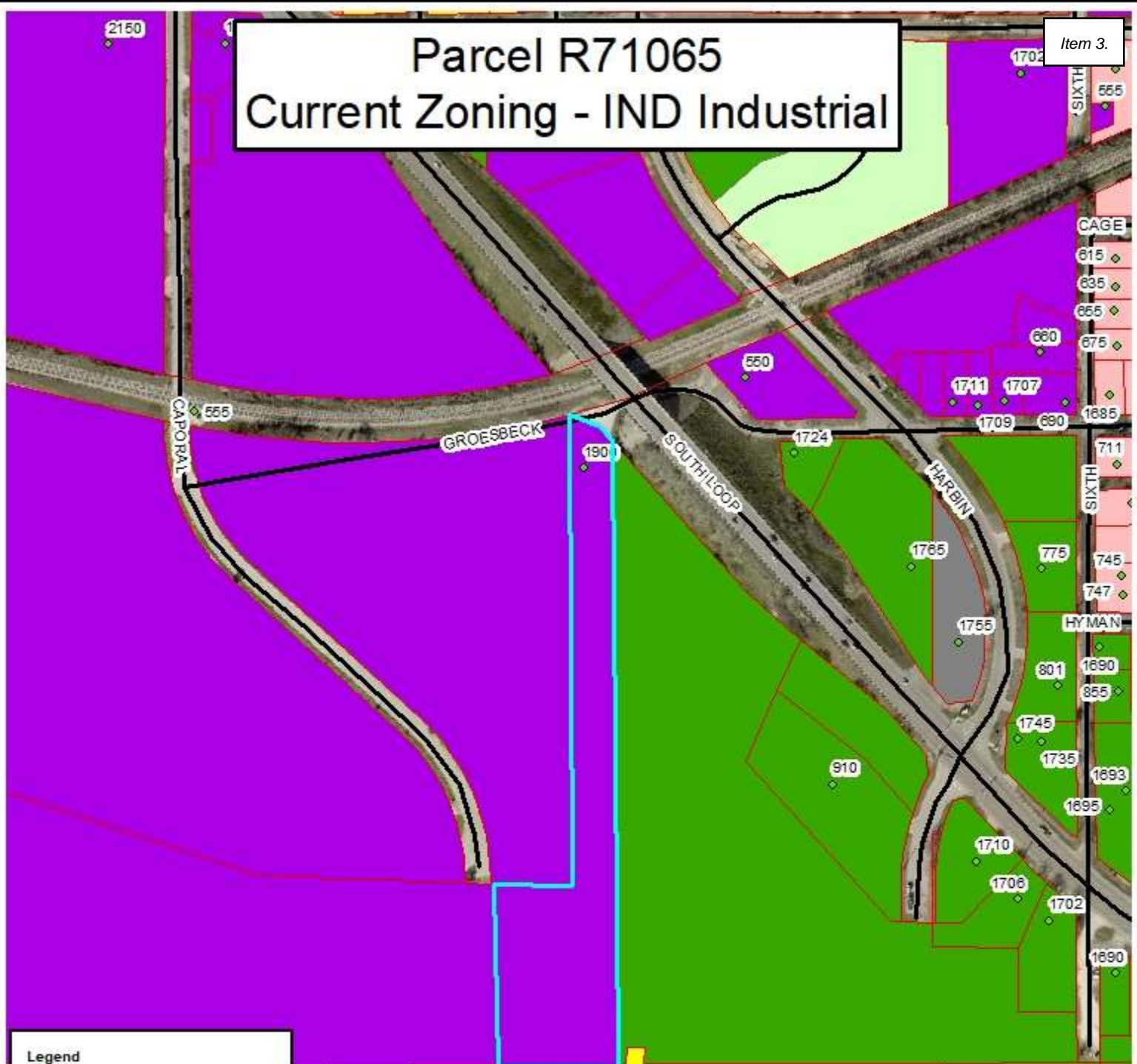


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# Parcel R71065 Current Zoning - IND Industrial

Item 3.



- Legend**
- ◆ Addresses
  - Roads
  - ▭ Parcels
- ZONING**
- AG - Agricultural
  - B-1 - Neighborhood Business
  - B-2 - Retail and Commercial Business
  - B-3 - Central Business
  - B-4 - Private Club
  - CTS - City, Tarleton, School
  - DT - Downtown
  - IND - Industrial
  - PD - Planned Development
  - R-1 - Single Family - 7,500
  - R-1.5 - Single Family - 8,000
  - R-2 - One and Two Family
  - R-2.5 - Integrated Housing
  - R-3 - Multiple Family
  - RE - Single Family - 1 Acre



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# Parcel R71065 Future Land Use - Commercial

Item 3.



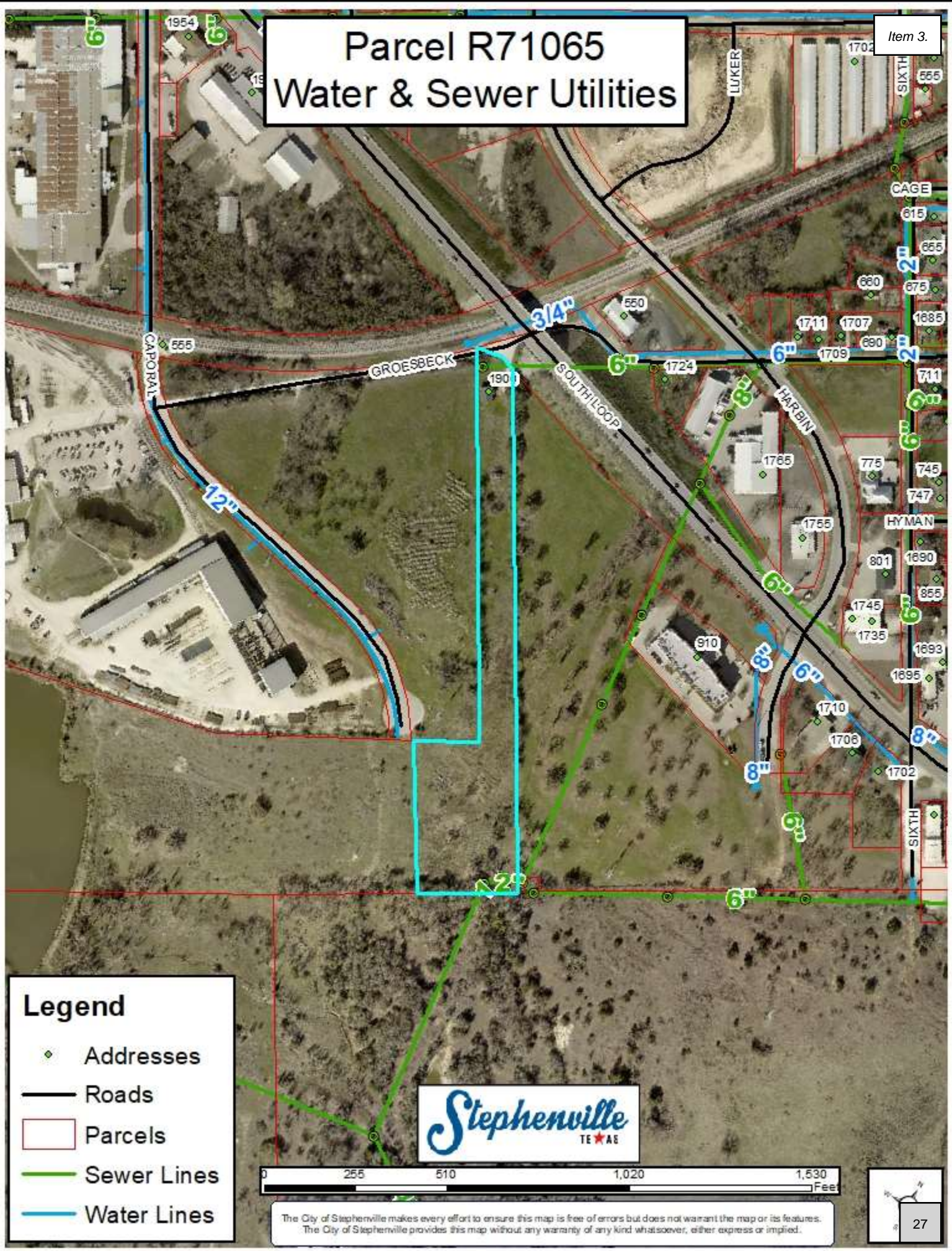
- Legend**
- ◆ Addresses
  - Roads
  - ▭ Parcels
- Future Use**
- ▭ Ag/Open Space
  - ▭ Office/Neighbor\_Bus
  - ▭ Commercial
  - ▭ Cent Business Dist
  - ▭ City/Tarleton/SISD
  - ▭ Downtown
  - ▭ Industrial
  - ▭ Planned Development
  - ▭ Single Family
  - ▭ 1\_2 Family
  - ▭ Multi-Fam/Resident
  - ▭ Duplex/Townhome
  - ▭ Manufact Homes



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# Parcel R71065 Water & Sewer Utilities

Item 3.



**Legend**

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



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## Parcel R71065 200 ft Buffer Addresses

| Parcel ID  | Parcel Address           | Parcel Owner                  | Owner Address               | City         | State | Zip Code   |
|------------|--------------------------|-------------------------------|-----------------------------|--------------|-------|------------|
| R000033760 | 0 GROESBECK              | ALLEN REAL PROPERTIES LTD     | PO BOX 953                  | STEPHENVILLE | TX    | 76401      |
| R000074273 | 0 CAPORAL DR             | CITY OF STEPHENVILLE          | 298 W WASHINGTON            | STEPHENVILLE | TX    | 76401-4257 |
| R000019805 | 1520 W SOUTH LOOP        | DB & CB INVESTMENTS LTD       | PO BOX 672                  | STEPHENVILLE | TX    | 76401-0672 |
| R000014966 | 0 N PADDOCK & VANDERBILT | FORT WORTH & WESTERN RAILROAD | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH   | TX    | 76116-5738 |
| R000071064 | 0 CR256                  | LEE J RALPH & LINDA           | PO BOX 24                   | HAMILTON     | TX    | 76531      |
| R000030527 | 600 CAPORAL DR           | PARAGON SOUTH LLC             | 3378 W HWY 117              | SAPULPA      | OK    | 74066      |
| R000014949 | 0 CAPORAL DR             | PARAGON SOUTH LLC             | 3378 W HWY 117              | SAPULPA      | OK    | 74066      |
| R000071022 | 1950 W SOUTH LOOP        | S & G COOK & ASSOC INC        | 1950 SOUTH LOOP             | STEPHENVILLE | TX    | 76401-0000 |
| R000071065 | 1900 GROESBECK           | V84 HOLDINGS LLC              | PO BOX 1827                 | STEPHENVILLE | TX    | 76401      |



# STAFF REPORT

**SUBJECT:** Case No.: FP2023-005

Applicant Ward Rabb, representing Attwood’s Distributing LP, is requesting approval of a Final Plat of property located at 1800 N US HWY 281, Parcel R77945, Acres 11.961, A0804 WILLIAMS M R, of the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

## RECOMMENDATION:

The applicant has submitted a Final Plat which conforms to the Preliminary Plat. Staff is requesting the Planning and Zoning Commission grant Conditional Approval of the Final Plat pending completion, verified by city staff, of the following items required by the Subdivision Ordinance, Chapter 155:

1. Provide Record Drawings.
2. Execute Stormwater Facility Maintenance Agreement.

Upon completion, the Final Plat will be approved for recordation purposes with the County.

## BACKGROUND:

The Planning and Zoning Commission convened July 2021 and ultimately, the Preliminary Plat for the Development was approved. The Final Plat conforms to the Preliminary Plat.

## PROPERTY PROFILE:



### Sec. 155.4.06. Final plat.

A. Purpose. The purpose of a Final Plat is to ensure:

1. That the proposed Subdivision and development of the land is consistent with all standards of this Subdivision Ordinance pertaining to the adequacy of public facilities,
  2. That Public Improvements to serve the Subdivision or development have been installed and accepted by the City, or that provision for such installation has been made, and
  3. That all other City requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded.
- B. *Applicability.* No subdivision of land shall be allowed without proper submittal, approval, and adoption of a Final Plat.
- C. *Exceptions.* A Final Plat is not required when a Minor Plat is submitted (See Section 4.07).
- D. *Ownership.*
1. 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 Final Plat.
  2. The Final Plat shall be signed by each owner, or by the representative of the owners authorized to sign legal documents for the owners and lienholder, effectively denoting that they are consenting to the platting of the property and to the dedications and covenants that may be contained in the Final Plat.
- E. *Accompanying Applications.*
1. An Application for a Final Plat may be accompanied by Construction Plans if also accompanied by a Development Agreement and appropriate surety in accordance with Section 5.05.
  2. Approval of each shall be separate and in accordance with Section 5.05.
- F. *Prior Approved Preliminary Plat.* The Final Plat and all accompanying data shall conform to the approved Preliminary Plat, or as the Preliminary Plat may have been amended subsequently, incorporating all conditions imposed or required, if applicable.
- G. *Review by City Administrator.* The City Administrator shall:
1. Initiate review of the plat and materials submitted,
  2. Make available Plats and reports to the Commission for review, and
  3. Upon determination that the Application is ready to be acted upon, schedule the Final Plat for consideration on the agenda of the next available meeting of the Commission.
- H. *Action by Planning and Zoning Commission.* The Commission shall:
1. Review the Final Plat Application, the findings of the City Administrator, and any other information available.
    - a. From all such information, the Commission shall determine whether the Final Plat conforms to the applicable regulations of this Subdivision Ordinance.
    - b. All Public Improvements have been installed (For exception, See Section 5.05)
  2. Act within thirty (30) calendar days following the Official Submission Date, unless the Applicant submits a Waiver of Right to 30-Day Action.
    - a. If no decision is rendered by the Commission within the thirty (30) day period described above or such longer period as may have been agreed upon, the Final Plat, as submitted, shall be deemed to be approved by the Commission.
  3. Take one of the following actions:
    - a. Approve the Final Plat;
    - b. Approve the Final Plat with conditions, which shall mean that the Final Plat shall be considered to have been approved once such conditions are fulfilled, and until the conditions are satisfied, it is considered denied; or
    - c. Deny the Final Plat.

4. A motion to approve a Final Plat shall be subject to the following conditions, whether or not stated in the motion to approve:
  - a. All required fees shall be paid.
  - b. All conditions required by ordinances have been reviewed and approved by the City.
  - c. On-site easements and rights-of-way have been dedicated and filed of record and properly described and noted on the proposed plat.
  - d. All required abandonments of public rights-of-way or easements that must be approved by the City Council and the abandonment ordinance numbers are shown on the plat.
  - e. Original tax certificates have been presented from each taxing unit with jurisdiction of the real property showing the current taxes are paid.
  
- I. *Final Plat Criteria for Approval.* The following criteria shall be used by the Commission to determine whether the Application for a Final Plat shall be approved, approved with conditions, or denied.
  1. *With Prior Approved Preliminary Plat.*
    - a. The Final Plat conforms to the approved Preliminary Plat except for minor amendments that are authorized under Section 4.05.K.1 and that may be approved without the necessity of revising the approved Preliminary Plat;
    - b. All conditions imposed at the time of approval of the Preliminary Plat, as applicable, have been satisfied;
    - c. The Construction Plans conform to the requirements of Section 5 and have been approved by the City Administrator.
    - d. Where Public Improvements have been installed, the improvements conform to the approved Construction Plans and have been approved for acceptance by the City Administrator;
    - e. Where the City Administrator has authorized Public Improvements to be deferred, a Development Agreement has been executed and submitted by the property owner in conformity with Section 5.05;
    - f. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this Subdivision Ordinance;
    - g. The Plat conforms to design requirements and construction standards as set forth in the Engineering Standards Manual; and
    - h. A plat prepared by a registered public surveyor conforms to the City Administrator's subdivision Application checklists and Subdivision Ordinance regulations.
  2. *Without Prior Approved Preliminary Plat.*
    - a. The Final Plat conforms to all criteria for approval of a Preliminary Plat;
    - b. The Construction Plans conform to the requirements of Section 5 and have been approved by the City Administrator;
    - c. A Development Agreement with surety for installation of Public Improvements has been prepared and executed by the property owner in conformance with 5.05;
    - d. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this Subdivision Ordinance; and
    - e. The Final Plat conforms to the City's subdivision Application checklist and Subdivision Ordinance regulations.
  
- J. *Procedures for Final Plat Recordation upon Approval.* The Applicant shall supply to the City Administrator the required number of signed and executed copies of the Final Plat that will be needed to file the Plat, upon approval, with the County (in the County's required format) at least seven (7) calendar days prior to the meeting at which it will be considered for approval.
  1. *General.*
    - a. Signatures. After approval of the Final Plat, the City Administrator shall procure the appropriate City signatures on the Final Plat.

- b. Recording upon Performance. The Final Plat shall be recorded after:
    - i. The Final Plat is approved by the City;
    - ii. All required Public Improvements have been completed and accepted by the City or a Development Agreement has been executed and appropriate surety provided in accordance with Section 5.05; and
    - iii. All County filing requirements are met.
  - 2. *Submittal of Final Plat Where Improvements Installed.* Where all required Public Improvements have been installed prior to recording of the Final Plat, the Applicant shall meet all requirements in accordance with Section 4.06.I.
  - 3. *Submittal of Final Plat Where Improvements Have Not Been Installed.* Where some or all required Public Improvements are not yet completed in connection with an approved Final Plat, the Applicant shall submit the Final Plat as approved, revised to reflect any conditions imposed as part of approval.
  - 4. *Update of Proof of Ownership.* If there has been any change in ownership since the time of the Proof of Ownership provided under 4.05.D, the Applicant shall submit a new consent agreement executed by each owner and lienholder consenting to the platting of the property and the dedications and covenants contained in the Plat.
- K. *Effect of Approval.* The approval of a Final Plat:
- 1. Supersedes any prior approved Preliminary Plat for the same land.
  - 2. If applicable, authorizes the Applicant to install any improvements in public Right-of-Way in conformance with approved Construction Plans and under a Development Agreement (refer to 5.05).
  - 3. Authorizes the Applicant to seek Construction Release and/or issuance of a Building Permit.
- L. *Revisions Following Recording/Recordation.* Revisions may only be processed and approved as a Replat, Minor Replat, or Amending Plat, as applicable.
- M. *Signature Blocks.* Unless otherwise modified by the City Administrator, the following signature blocks shall be used in conjunction with the Final Plat.
- 1. Certificate of Surveyor.
  - 2. Owner's Statement for Fire Lane Easement.
  - 3. Owner's Acknowledgement and Dedication.
  - 4. Lienholder's Ratification of Plat Dedication.
  - 5. Certificate of Final Plat Approval.
  - 6. Certificate of Completion and Authorization to File.
  - 7. County Authorization (If Applicable).
- N. *Expiration of Approved but not Filed Plat.*
- 1. *Two-Year Validity.*
    - a. The approval of a Final Plat shall remain in effect for a period of two (2) years following the date of approval, during which period the Applicant shall submit and receive approval for Construction Plans for the land area shown on the Final Plat.
    - b. If Construction Plans have not been approved within the two (2) year period, the Final Plat shall expire.
  - 2. *Relationship to Construction Plans.* A Final Plat shall remain valid for the period of time in which approved Construction Plans are valid (5.01.G Expiration Date for Construction Plans).
  - 3. *Void If Not Extended.* If the Final Plat is not extended as provided in 4.06.O Final Plat Extension for Approved but not Filed Plat, it shall expire and shall become null and void.
  - 4. *Approved Final Plat that have been Filed (Recorded with the County).* Approved plats that have been filed with the County shall not expire.
- O. *Final Plat Extension for Approved but not Filed Plat.* A Final Plat may be extended for a period not to exceed one (1) year beyond the Final Plat's initial expiration date. A request for extension shall be submitted to the



City Administrator in writing at least thirty (30) calendar days prior to expiration of the Final Plat, and shall include reasons why the Final Plat should be extended.

1. *Decision by the City Administrator.*
  - a. The City Administrator will review the extension request and shall approve or deny the extension request within thirty (30) calendar days following the date of the request.
  - b. Should the City Administrator fail to act on an extension request within thirty (30) calendar days, the extension shall be deemed to be approved.
2. *Considerations.* In considering an extension, the City Administrator shall consider whether the following conditions exist:
  - a. Construction Plans have been submitted and/or approved for any portion of the property shown on the Final Plat;
  - b. Construction, including the installation of public improvements, is occurring on the property;
  - c. The Final Plat complies with new ordinances that impact the health, safety and general welfare of the community; and/or
  - d. If there is a need for a park, school or other public facility or improvement on the property.
3. *Conditions.*
  - a. In granting an extension, the City Administrator may impose such conditions as are needed to ensure that the land will be developed in a timely fashion and that the public interest is served.
  - b. Any extension may be predicated upon compliance with new development regulations and/or the Applicant waiving any vested rights.
4. *Appeal of the Denial of a Final Plat Approval Extension.*
  - a. Appeal of the City Administrator's Decision on a Final Plat Extension.
    - i. The denial of an extension by the City Administrator may be appealed to the Commission.
    - ii. A written request for such appeal shall be received by the City Administrator within fourteen (14) calendar days following the denial.
    - iii. The Commission shall hear and consider such an appeal within thirty (30) calendar days following receipt of the appeal request by the City Administrator.
  - b. Appeal of the Commission's Decision on a Final Plat Extension.
    - i. The denial of an extension by the Commission may be appealed to the City Council.
    - ii. A written request for such appeal shall be received by the City Administrator within fourteen (14) calendar days following the denial.
    - iii. The City Council shall hear and consider such an appeal within thirty (30) calendar days following receipt of the appeal request by the City Administrator.
    - iv. The decision of the City Council is final.

#### **FACTORS TO CONSIDER:**

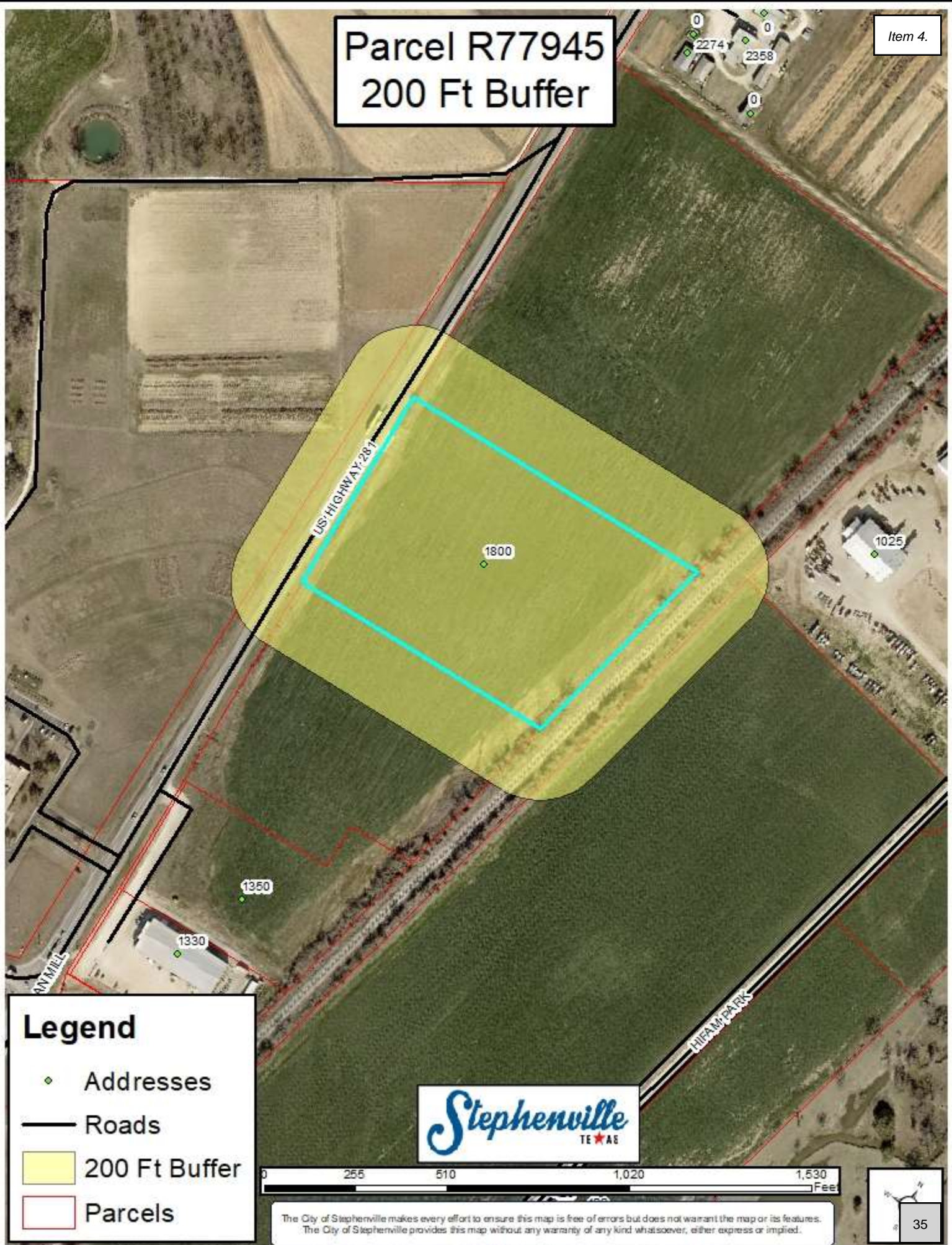
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- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

#### **ALTERNATIVES:**

- 1) Approve the Final Plat
- 2) Approve the Final Plat with conditions, which shall mean that the Final Plat shall be considered to have been approved once such conditions are fulfilled, and until the conditions are satisfied, it is considered denied; or
- 3) Deny the Final Plat

# Parcel R77945 200 Ft Buffer

Item 4.



## Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels

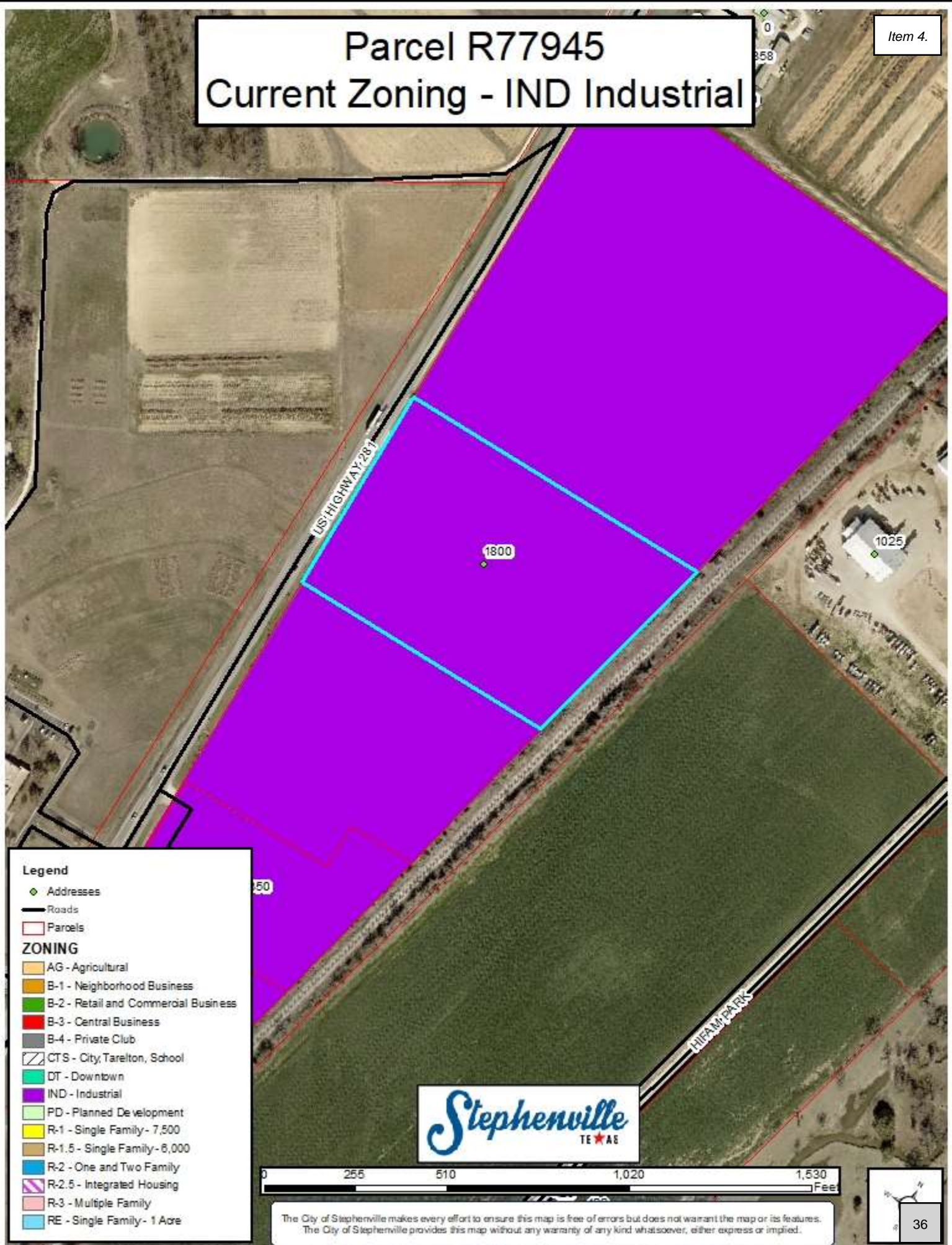


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# Parcel R77945

## Current Zoning - IND Industrial

Item 4.



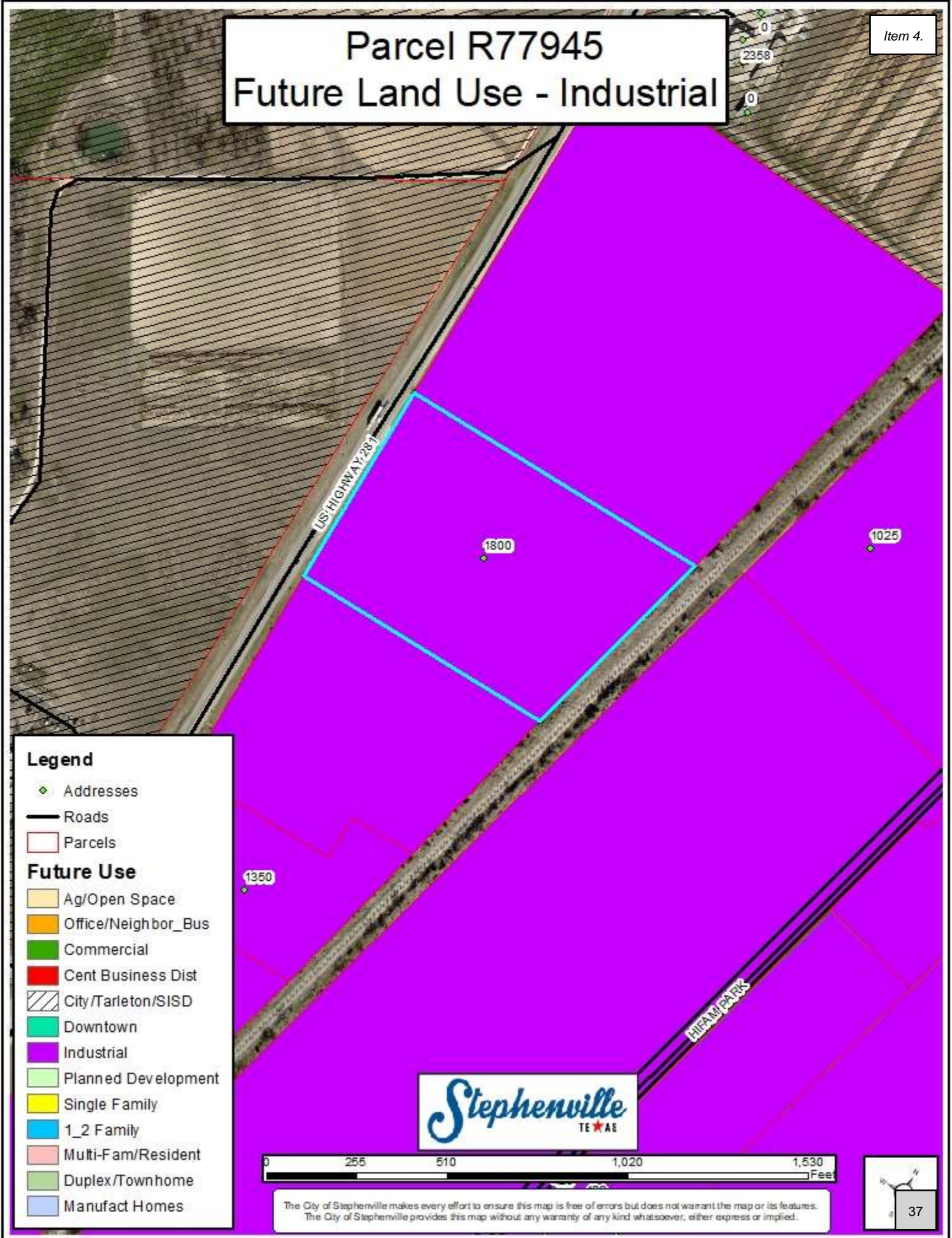
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  - B-2 - Retail and Commercial Business
  - B-3 - Central Business
  - B-4 - Private Club
  - CTS - City, Tareyton, School
  - DT - Downtown
  - IND - Industrial
  - PD - Planned Development
  - R-1 - Single Family - 7,500
  - R-1.5 - Single Family - 6,000
  - R-2 - One and Two Family
  - R-2.5 - Integrated Housing
  - R-3 - Multiple Family
  - RE - Single Family - 1 Acre



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# Parcel R77945 Future Land Use - Industrial

Item 4.



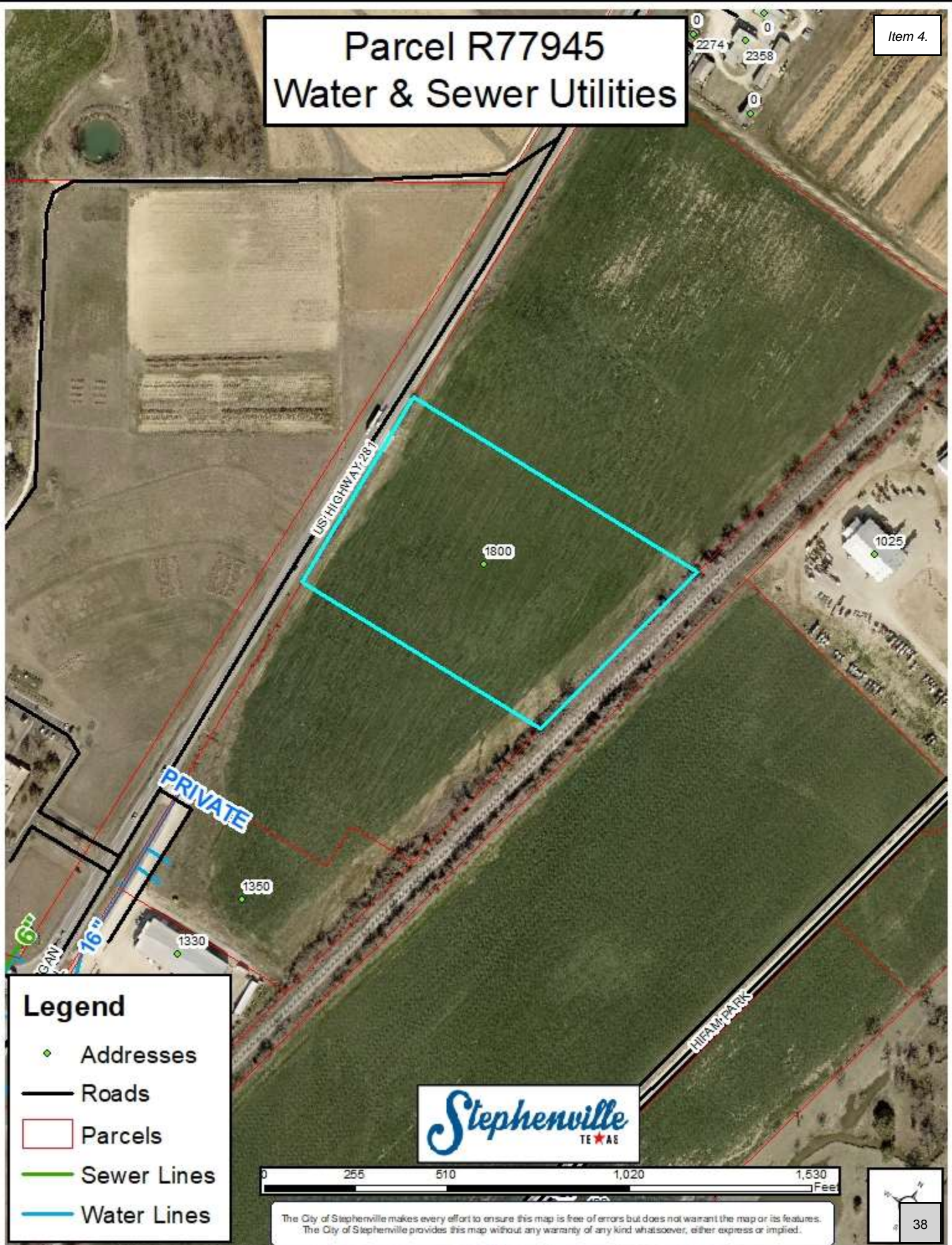
### Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Future Use**
- Ag/Open Space
- Office/Neighbor\_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1\_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes

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# Parcel R77945 Water & Sewer Utilities

Item 4.



## Legend

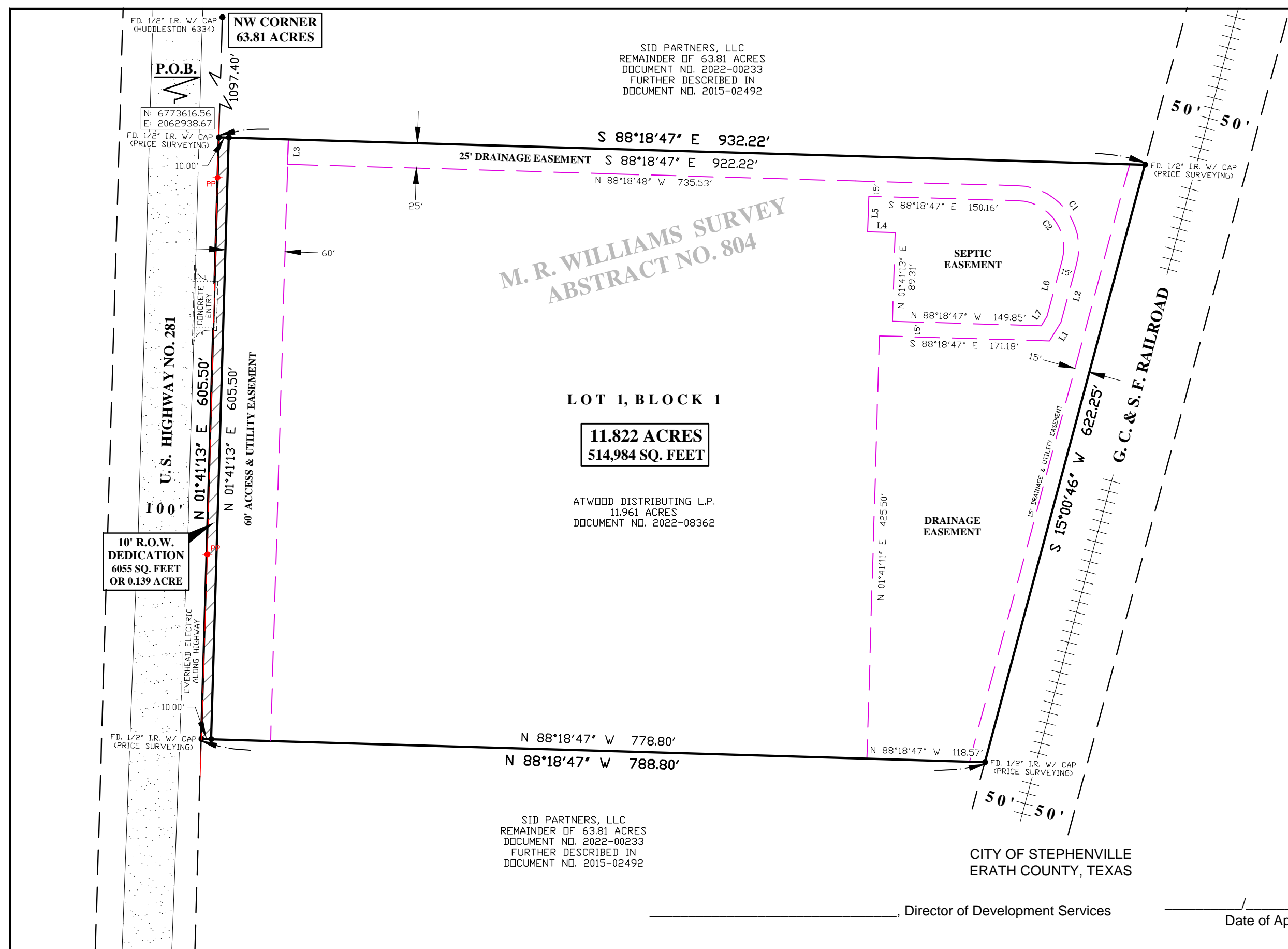
- ◆ Addresses
- Roads
- ▭ Parcels
- Sewer Lines
- Water Lines



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## Parcel R77945 200 ft Buffer Addresses

| Parcel ID  | Parcel Address       | Parcel Owner                                     | Owner Address               | City            | State | Zip Code   |
|------------|----------------------|--------------------------------------------------|-----------------------------|-----------------|-------|------------|
| R000077945 | 0 N US281            | ATWOOD DISTRIBUTING LP                           | 500 S GARLAND RD            | ENID            | OK    | 73703      |
| R000026380 | 1229 N US281         | BOARD OF REGENTS OF THE TX A&M UNIVERSITY SYSTEM | 301 TARROW STREET 6TH FLOOR | COLLEGE STATION | TX    | 77840-7896 |
| R000076784 | 1025 HIFAM PARK ROAD | DUCATO INVESTMENTS LLC                           | PO BOX 214                  | CUSICK          | WA    | 99119      |
| R000075735 | 0 N US377 (OFF)      | FORT WORTH & WESTERN RAILROAD                    | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH      | TX    | 76116-5738 |
| R000026346 | 0 CR177              | SID PARTNERS LLC                                 | PO BOX 908                  | STEPHENVILLE    | TX    | 76401      |
| R000026347 | 0 N US281            | SID PARTNERS LLC                                 | PO BOX 908                  | STEPHENVILLE    | TX    | 76401      |
| R000026347 | 0 N US281            | SID PARTNERS LLC                                 | PO BOX 908                  | STEPHENVILLE    | TX    | 76401      |



M. R. WILLIAMS SURVEY  
ABSTRACT NO. 804

LOT 1, BLOCK 1

11.822 ACRES  
514,984 SQ. FEET

ATWOOD DISTRIBUTING L.P.  
11.961 ACRES  
DOCUMENT NO. 2022-08362

SID PARTNERS, LLC  
REMAINDER OF 63.81 ACRES  
DOCUMENT NO. 2022-00233  
FURTHER DESCRIBED IN  
DOCUMENT NO. 2015-02492

CITY OF STEPHENVILLE  
ERATH COUNTY, TEXAS

**LAND DESCRIPTION**

Of an 11.961 acres tract of land out of the M. R. Williams Survey, Abstract No. 804, Erath County, Texas; being part of a certain 63.81 acres tract deeded to SID Partners, LLC in Document No. 2022-00233 of the Official Public Records of Erath County, Texas; being the same 11.961 acres tract deeded to Atwood Distributing L.P. in Document No. 2022-08362 of said Official Public Records; and being further described by metes and bounds as follows:  
Beginning at a set 1/2" iron rod with cap (PRICE SURVEYING) in the east right of way line of U. S. Highway No. 281 and in the west line of said 63.81 acres tract, for the northwest and beginning corner of this tract, from which a found 1/2" iron rod with cap (HUDDLESTON 6334) at the northwest corner of said 63.81 acres tract bears N. 01 deg. 41 min. 13 sec. E. 1097.40 feet.  
Thence leaving said Highway, S. 88 deg. 18 min. 47 sec. E. 932.22 feet to a set 1/2" iron rod with cap (PRICE SURVEYING) in the west right of way line of the G. C. & S. F. Railroad and in the east line of said 63.81 acres tract, for the northeast corner of this tract.  
Thence with the west right of way line of said Railroad and the east line of said 63.81 acres tract, S. 15 deg. 00 min. 46 sec. W. 622.25 feet to a set 1/2" iron rod with cap (PRICE SURVEYING), for the southeast corner of this tract.  
Thence leaving said Railroad, N. 88 deg. 18 min. 47 sec. W. 788.80 feet to a set 1/2" iron rod with cap (PRICE SURVEYING) in the east right of way line of said U. S. Highway No. 281 and in the west line of said 63.81 acres tract, for the southwest corner of this tract.  
Thence with the east right of way line of said Highway, N. 01 deg. 41 min. 13 sec. E. 605.50 feet to the place of beginning.

**OWNER'S CERTIFICATE**

Now therefore know all men by these presents:

That, Atwood Distributing L.P., owner, does hereby adopt this plat designating the herein described property as Lot 1, Block 1, ATWOODS ADDITION to the City of Stephenville, Erath County, Texas, and does hereby dedicate to the Public use forever, the streets and easements shown thereon. The streets are dedicated for street purposes. The easements shown thereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same. Any, and all public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, of efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and/or for any maintenance and service required or ordinarily performed by that utility. The easements dedicated are for the specific use of installing and maintaining water, sewer, electrical, natural gas, telephone, fiber or cablevision lines, and are not intended to be used for garbage dumpsters, the collection of garbage, or for the use of garbage vehicles in any manner.

This plat approved, subject to all platting ordinances, rules, regulations and resolutions of The City of Stephenville, Erath County, Texas.

Witness my hand, This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Authorized Signature of Owner / Atwood Distributing L.P.

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the person(s) whose name(s) is(are) subscribed to the foregoing instrument, and acknowledged to me that he (she) (they) executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature \_\_\_\_\_

My Commission Expires On \_\_\_\_\_

\_\_\_\_\_, Director of Development Services \_\_\_\_\_ Date of Approval \_\_\_\_\_

Attest: \_\_\_\_\_, City Secretary \_\_\_\_\_ Date \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF ERATH §  
KNOW ALL MEN BY THESE PRESENTS;

I, Gwinda Jones, Clerk of the County Court of Erath County, do hereby certify that the foregoing instrument in writing, with its certificate of authentication was filed for record and duly recorded in my office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_M., in the Official Public Records of Erath County in Document No. \_\_\_\_\_, Cabinet \_\_\_\_\_, Slide \_\_\_\_\_.

TO CERTIFY WHICH, WITNESS my hand and seal at the County Court of Erath County, at my office in Erath, Texas, the date last shown above written.

BY: \_\_\_\_\_  
GWINDA JONES  
Clerk of County Court of Erath County, Texas

BY: \_\_\_\_\_  
Deputy

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 31°41'15" E | 21.86'   |
| L2   | N 15°00'46" E | 60.80'   |
| L3   | N 01°41'13" E | 25.00'   |
| L4   | N 88°18'47" W | 27.52'   |
| L5   | N 01°41'13" E | 35.09'   |
| L6   | S 15°00'46" W | 58.81'   |
| L7   | S 31°41'15" W | 11.00'   |

| CURVE | RADIUS | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|--------|------------|-------------|---------------|--------------|
| C1    | 62.50' | 112.71'    | 103°19'33"  | N 36°39'01" W | 98.05'       |
| C2    | 47.50' | 85.86'     | 103°19'33"  | N 36°39'01" W | 74.52'       |

**SURVEYOR'S CERTIFICATE**

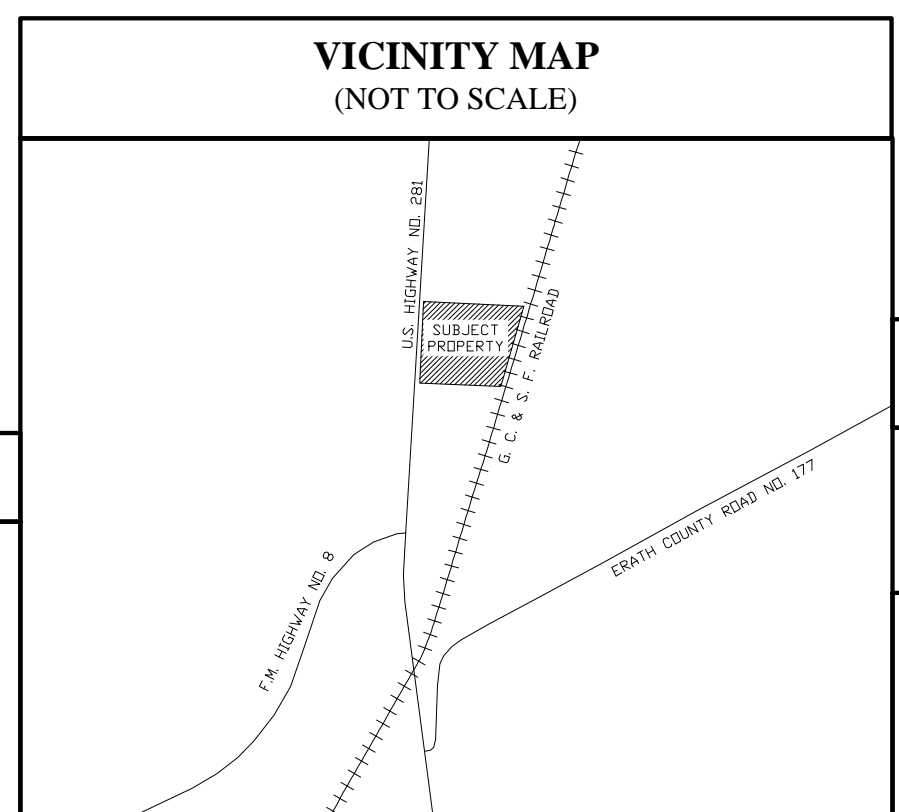
THIS is to certify that I, MATTHEW K. PRICE, A Registered Professional Land Surveyor of the State of Texas, have platted the above property from an actual survey on the ground and that all lot corners, angle points, and points of curve will be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direct supervision during MAY & DECEMBER 2022.

Matthew K. Price, R.P.L.S. No. 6284  
JN23132FINAL 18009.CRD FN220681

NOTE: THIS PROPERTY IS LOCATED WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO F.I.R.M. PANEL 48143C0430D, EFFECTIVE NOVEMBER 16, 2011  
BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 NORTH CENTRAL TX ZONE, US SURVEY FOOT  
NOTE: ALL DISTANCES ARE SURFACE DISTANCES  
NOTE: ALL CORNERS ARE SET 1/2" IRON RODS WITH CAP (PRICE SURVEYING) UNLESS OTHERWISE NOTED



**VICINITY MAP (NOT TO SCALE)**



| OWNER                                                             | SURVEYOR                                                                                                                        |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Atwood Distributing L.P.<br>500 S. Garland Road<br>Enid, OK 73703 | Matthew K. Price<br>Price Surveying, LP<br>FIRM# 10194051<br>1100 E Washington Street<br>Stephenville, TX 76401<br>254-965-5489 |

**FINAL PLAT**  
**LOT 1, BLOCK 1**  
**ATWOODS ADDITION**  
OF AN 11.961 ACRES TRACT OF LAND OUT OF THE M. R. WILLIAMS SURVEY, ABSTRACT NO. 804, ERATH COUNTY, TEXAS





## STAFF REPORT

**SUBJECT:** Case No.: RP2023-002

Applicant Malcolm Kanute of Bosque Clark, LLC is requesting approval of a replat of the properties located at Prairie Wind (OFF), Parcel R63099, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 2 of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63100, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 3 of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63101, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 4 of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63105, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 5 (W PT OF) of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R63113, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 6 (W PT OF) of the City of Stephenville, Erath County, Texas; 0 River North, Parcel R40037, of A0032 BLAIR JOHN of the City of Stephenville, Erath County, Texas; Prairie Wind (OFF), Parcel R14960, of S5640 RIVER NORTH RANCHETTES, BLOCK 1, LOT 7 (W PT OF) of the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

### RECOMMENDATION:

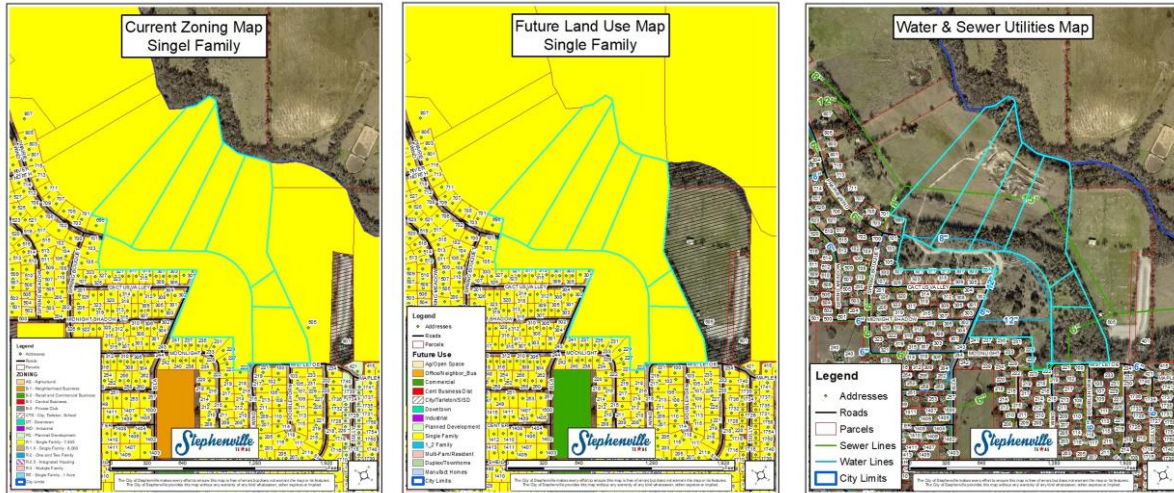
The applicant has submitted a replat of multiple properties to create a total of 10 single-family lots and a remainder lot for a future phase, single-family development. Staff recommends the replat be approved with the following conditions:

1. Provide setbacks.
2. Add signature blocks for City Sec, Development Services and County Clerk.
3. 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.

Once completed, the replat will be approved by staff for recording purposes.

### BACKGROUND:

Applicant is requesting the replat of the properties to allow for the construction of single-family homes from previously approved preliminary plat from December 2021. The preliminary plat will become obsolete with the replat.

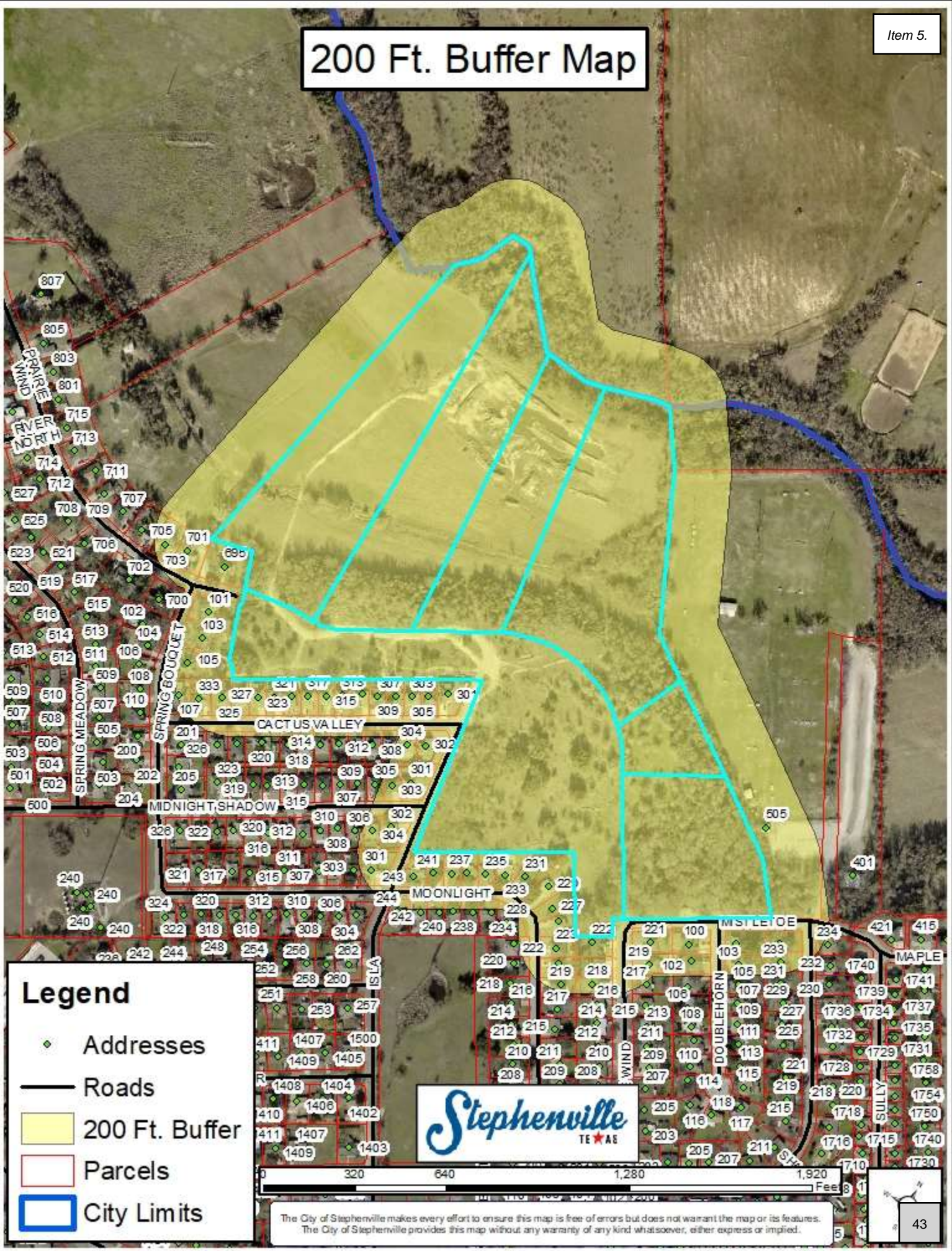
**PROPERTY PROFILE:****Sec. 155.4.03. General subdivision and platting procedures.**

- A. *Plats Required for Land Subdivision.* A Preliminary Plat or Minor Plat shall be approved prior to any land division that is subject to these regulations and prior to commencement of any new development.
- B. *Replats and Amending Plats.*
1. *Replat.* A Replat, in accordance with State law, and the provisions of Section 4.08 shall be required any time a platted, recorded lot is further divided or expanded, thereby changing the boundary and dimensions of the property.
  2. *Amending Plat.* In the case of minor revisions to recorded Plats or lots, an Amending Plat may also be utilized if in accordance with Section 4.09.
- C. *Zoning.*
1. *Conformance with Existing Zoning.* All Applications shall be in conformance with the existing zoning on property inside the City Limits.
  2. *Request to Rezone First.* If an Applicant seeks to amend the zoning for the property, the request to rezone the land shall be submitted and approved prior to acceptance of an Application for filing of a plat, unless as otherwise provided below.
    - a. The Applicant may request approval from the City Administrator to submit an application simultaneous with the zoning change request, in which case the Application for the zoning amendment shall be acted upon first, provided that the Application is accompanied by a properly executed Waiver of Right to 30-Day Action (due to the lengthier time frame necessary to advertise and process zoning Applications).
    - b. In the event that the requested zoning amendment is denied, the Plat Application shall also be rejected or denied.

**ALTERNATIVES:**

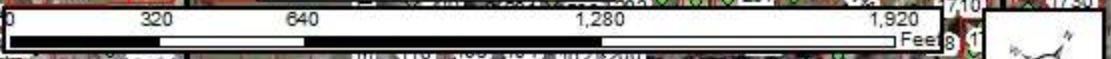
- 1) Approve the replat.
- 2) Approve the replat with conditions.
- 3) Deny the replat.

# 200 Ft. Buffer Map



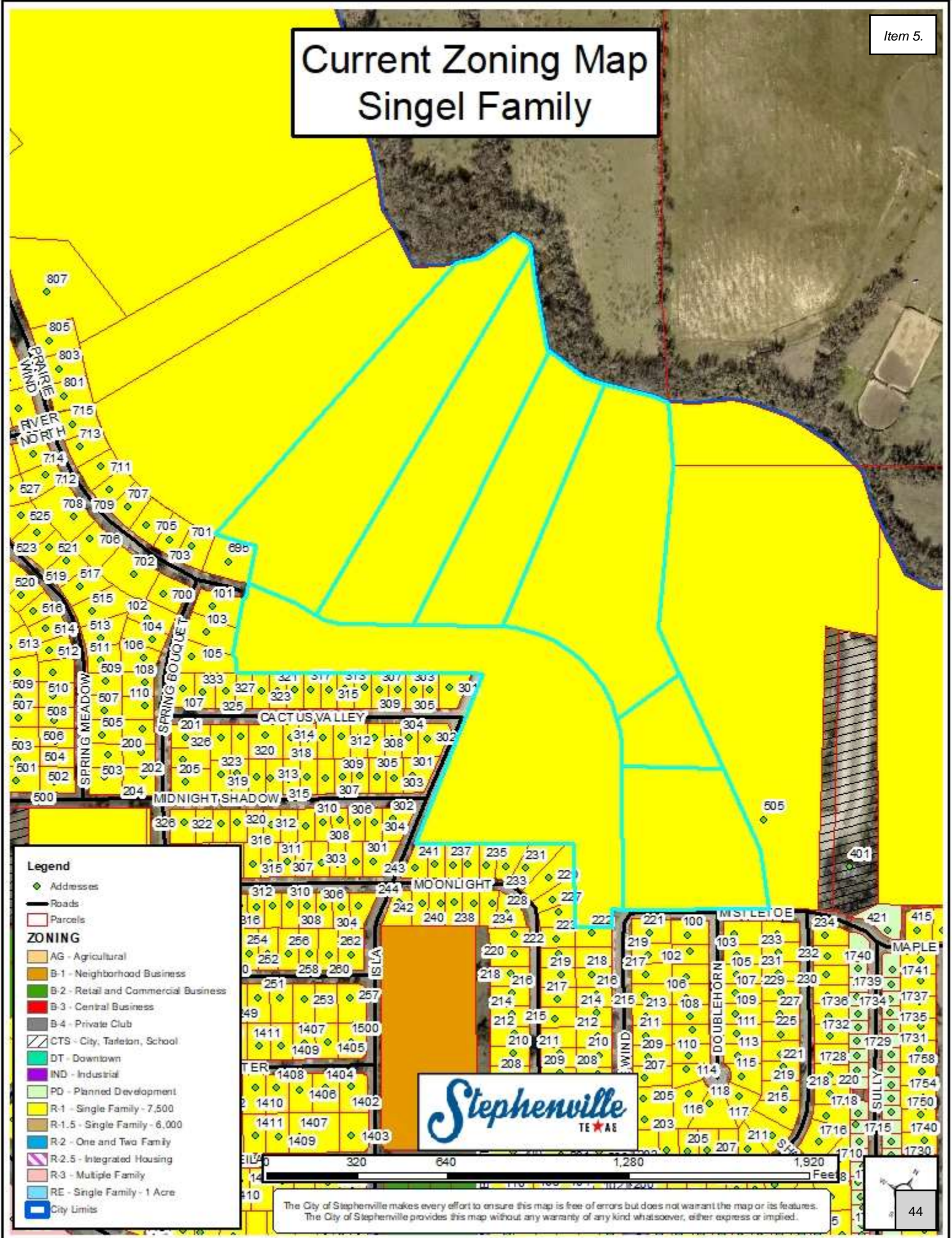
## Legend

- ◆ Addresses
- Roads
- 200 Ft. Buffer
- Parcels
- City Limits



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# Current Zoning Map Singel Family

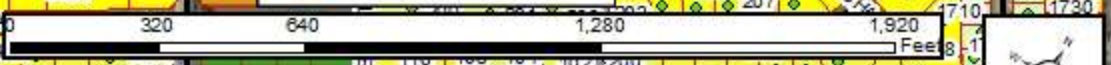


**Legend**

- ◆ Addresses
- Roads
- ▭ Parcels

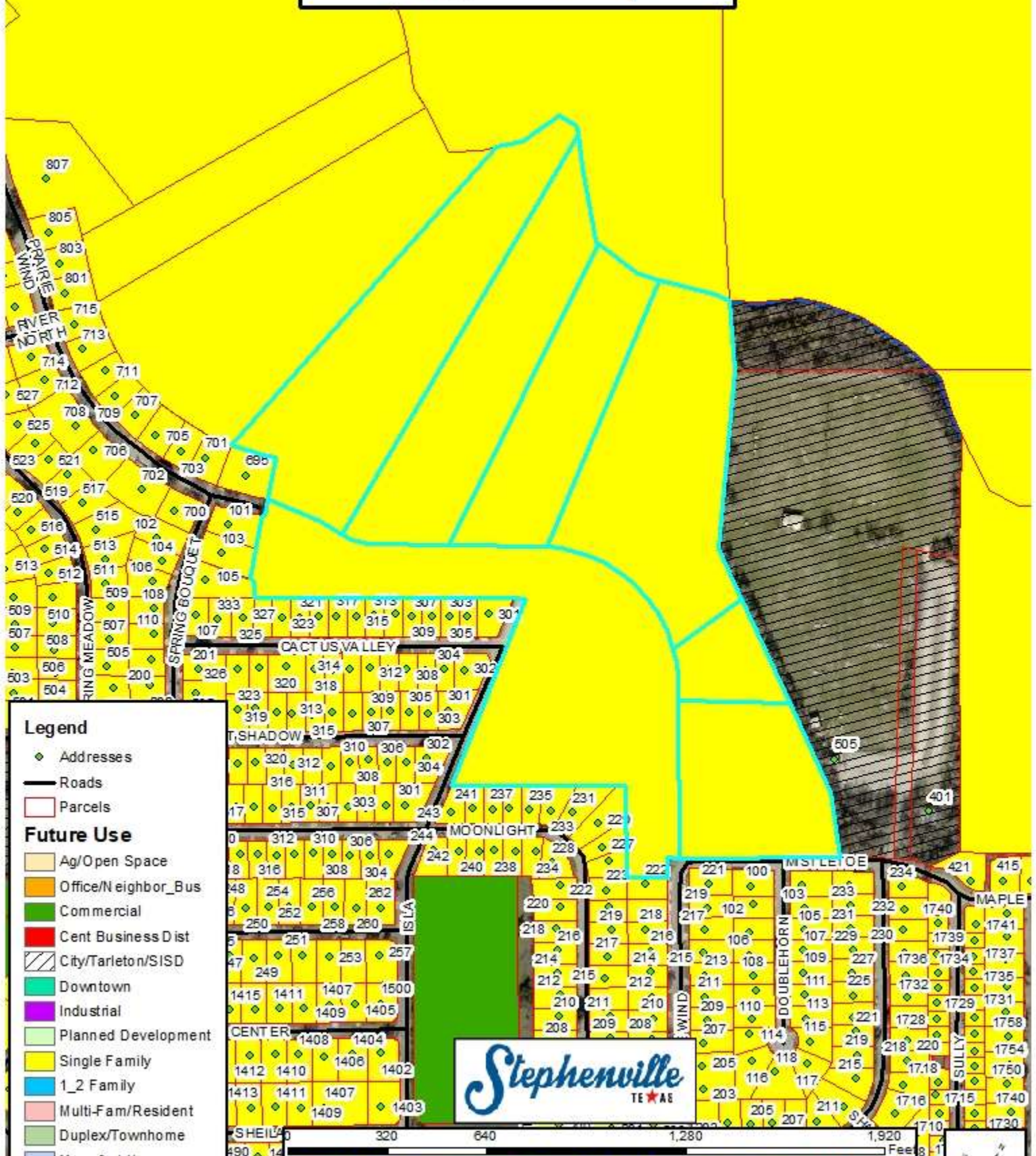
**ZONING**

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tarleton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre
- City Limits



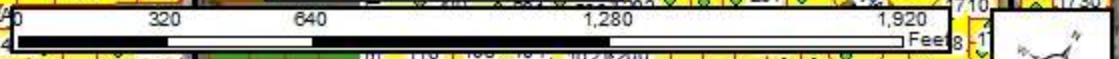
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# Future Land Use Map Single Family



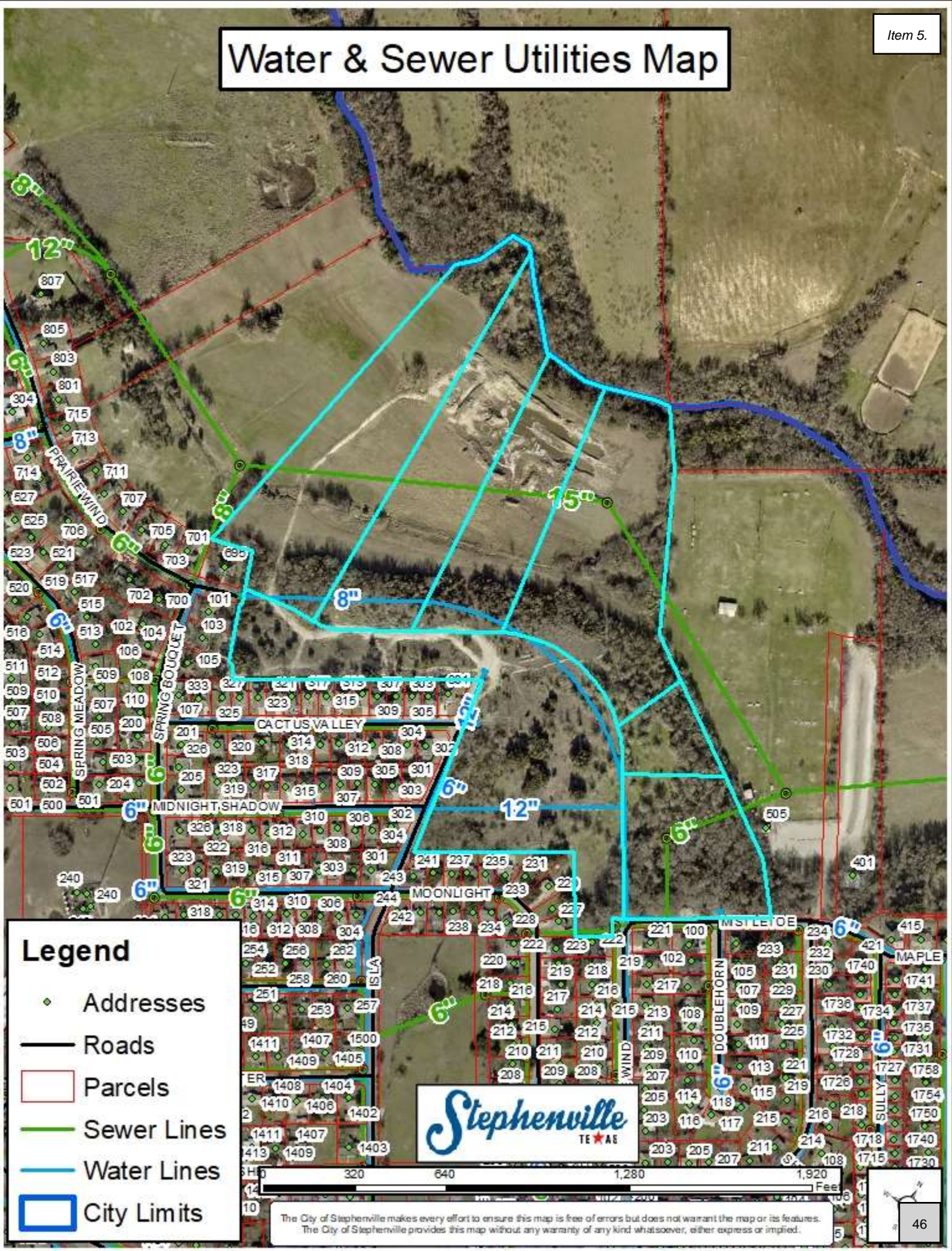
### Legend

- ◆ Addresses
  - Roads
  - Parcels
- ### Future Use
- Ag/Open Space
  - Office/Neighbor\_Bus
  - Commercial
  - Cent Business Dist
  - City/Tarleton/SISD
  - Downtown
  - Industrial
  - Planned Development
  - Single Family
  - 1\_2 Family
  - Multi-Fam/Resident
  - Duplex/Townhome
  - Manufact Homes
  - City Limits



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# Water & Sewer Utilities Map

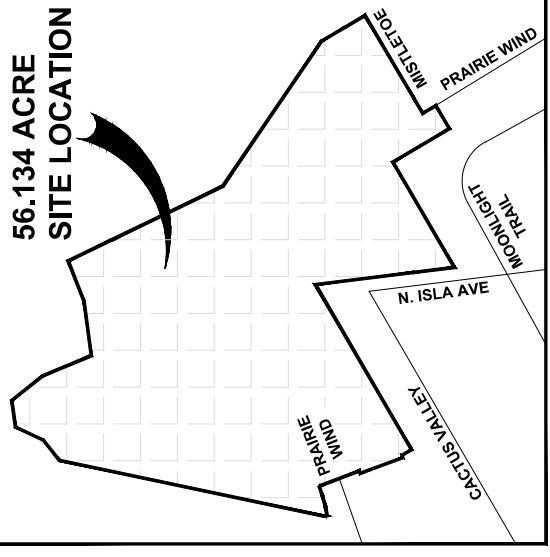


## Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines
- City Limits



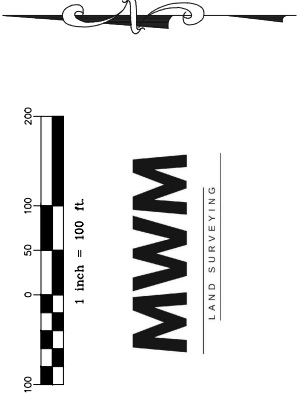
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**56.134 ACRE  
SITE LOCATION**

**VICINITY MAP  
NTS**

**ABBREVIATIONS**  
 OPRCT = OFFICIAL PUBLIC RECORDS, ERATH COUNTY, TEXAS  
 DRECT = DEED RECORDS, ERATH COUNTY, TEXAS  
 PRECT = PLAT RECORDS, ERATH COUNTY, TEXAS  
 CCF# = COUNTY CLERK'S FILE NO.  
 IRF = IRON ROD FOUND  
 CIR# = 5/8" CAPPED IRON ROD SET STAMPED "MWM RPLS 5438"



**MWM**  
LAND SURVEYING

APPROVED BY THE DIRECTOR OF PLANNING ON OCTOBER \_\_, 2023  
 DIRECTOR OF PLANNING, CITY OF STEPHENVILLE, TEXAS

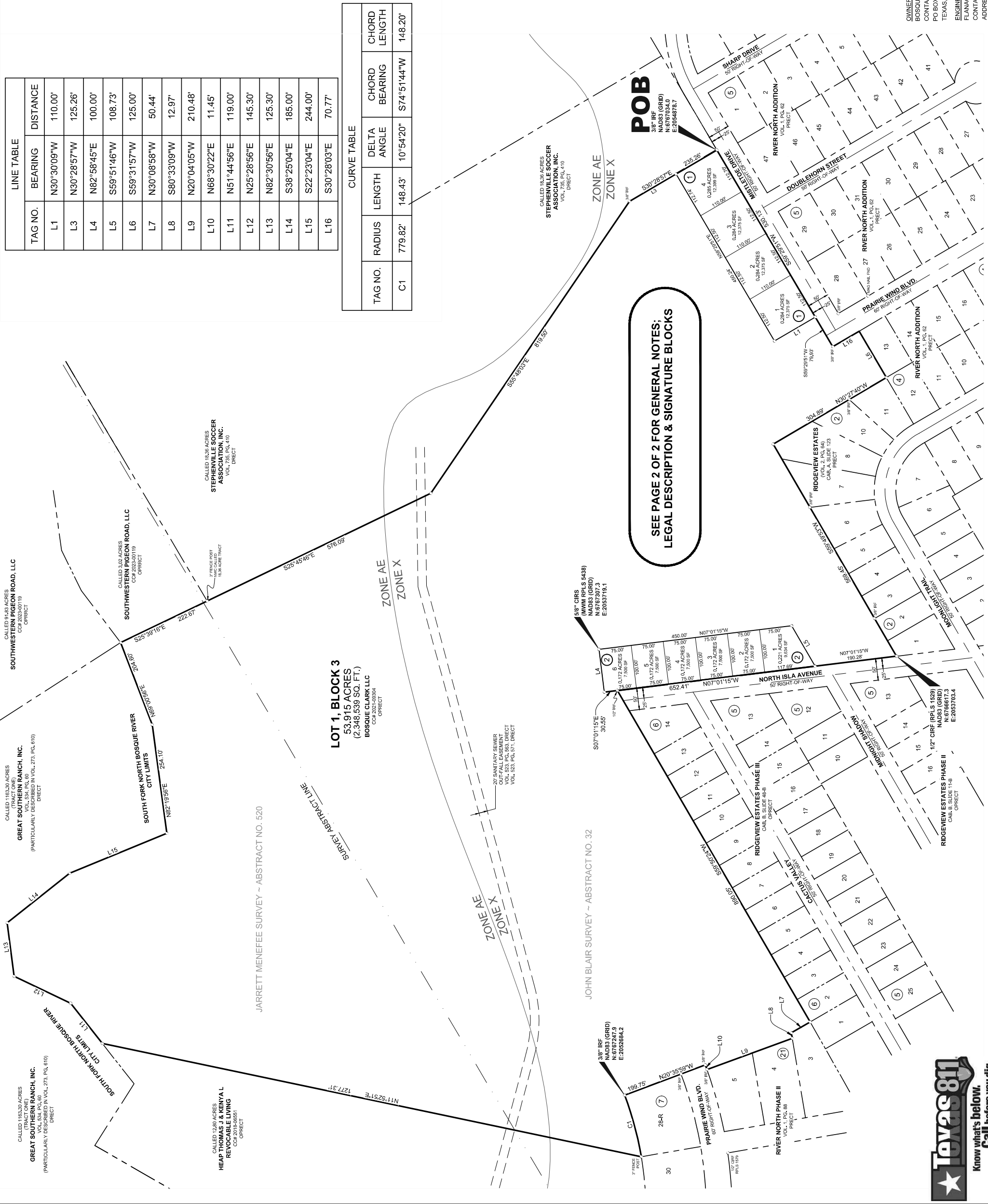
**REPLAT**  
 LOTS 1 THRU 4, BLOCK 1;  
 LOTS 1 THRU 6, BLOCK 2;  
 LOT 1, BLOCK 3;  
**BOSQUE HEIGHTS ADDITION**  
 SITUATED IN THE JOHN BLAIR SURVEY ~  
 ABSTRACT NO. 32  
 CITY OF STEPHENVILLE  
 ERATH COUNTY, TEXAS  
 11 LOTS  
 SURVEYOR:

**MWM**  
LAND SURVEYING

MERLE W. MILLER LAND SURVEYING  
 5048 EDWARD RANCH ROAD, STE 300  
 FORT WORTH, TX 76109  
 PHONE: 817.228.7870  
 FBPELS FRM #10194768  
 MERLE@MWM-LANDSURVEYING.COM  
 OCTOBER 2023 PAGE 1 OF 2

| LINE TABLE |             |          |
|------------|-------------|----------|
| TAG NO.    | BEARING     | DISTANCE |
| L1         | N30°30'09"W | 110.00'  |
| L3         | N30°28'57"W | 125.26'  |
| L4         | N82°58'45"E | 100.00'  |
| L5         | S59°51'46"W | 108.73'  |
| L6         | S59°31'57"W | 125.00'  |
| L7         | N30°08'58"W | 50.44'   |
| L8         | S80°33'09"W | 12.97'   |
| L9         | N20°04'05"W | 210.48'  |
| L10        | N68°30'22"E | 11.45'   |
| L11        | N51°44'56"E | 119.00'  |
| L12        | N25°28'56"E | 145.30'  |
| L13        | N82°30'56"E | 125.30'  |
| L14        | S38°25'04"E | 185.00'  |
| L15        | S22°23'04"E | 244.00'  |
| L16        | S30°28'03"E | 70.77'   |

| CURVE TABLE |         |         |             |               |              |
|-------------|---------|---------|-------------|---------------|--------------|
| TAG NO.     | RADIUS  | LENGTH  | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
| C1          | 779.82' | 148.43' | 10°54'20"   | S74°51'44"W   | 148.20'      |



CALLLED 91.43 ACRES  
**SOUTHWESTERN PIGEON ROAD, LLC**  
 (TRACT ONE)  
 VOL. 523, PG. 610  
 CCF# 2023-00119  
 OPRCT

CALLLED 3.02 ACRES  
**SOUTHWESTERN PIGEON ROAD, LLC**  
 CCF# 2023-00119  
 OPRCT

CALLLED 18.36 ACRES  
**STEPHENVILLE SOCCER ASSOCIATION, INC.**  
 VOL. 735, PG. 410  
 DRECT

**LOT 1, BLOCK 3**  
 53,915 ACRES  
 (2,348,539 SQ. FT.)  
**BOSQUE CLARK LLC**  
 CO-OWNERSHIP  
 OPRCT

JARRETT MENESEE SURVEY ~ ABSTRACT NO. 520

JOHN BLAIR SURVEY ~ ABSTRACT NO. 32

**SEE PAGE 2 OF 2 FOR GENERAL NOTES;  
 LEGAL DESCRIPTION & SIGNATURE BLOCKS**

**POB**  
 3/8" IRF  
 NAD83 (GRID)  
 N:6767034.0  
 E:2054878.7

CALLLED 18.36 ACRES  
**STEPHENVILLE SOCCER ASSOCIATION, INC.**  
 VOL. 735, PG. 410  
 DRECT

20 SANTIAGO GEMERS  
 OUT-FALL EASEMENT  
 VOL. 523, PG. 583, DRECT  
 VOL. 523, PG. 571, DRECT

5/8" CIR#  
 NAD83 (RPLS 5438)  
 N:6767307.3  
 E:2053719.1

1/2" CIR# (RPLS 1929)  
 NAD83 (GRID)  
 N:2052684.2  
 E:2053703.4



## GENERAL NOTES

1. BEARINGS & COORDINATE VALUES SHOWN HEREON ARE IN REFERENCE TO THE NAD83 - TEXAS COORDINATE SYSTEM - NORTH-CENTRAL ZONE, 4302 BASED ON OBSERVATIONS UTILIZING THE TOPNET LIVE GPS REFERENCED NETWORK, SURVEYED ON THE GROUND IN THE MONTH OF OCTOBER, 2023.
2. ALL PROPERTY CORNERS SET ARE 5/8 INCH CAPPED IRON RODS STAMPED "MWM RPLS 5438".
3. THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD; AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 4814304340, EFFECTIVE NOVEMBER 16, 2011.
4. SELLING A PORTION OF ANY LOT IN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO PENALTIES IMPOSED BY LAW.
5. THE PURPOSE OF THIS PLATS IS TO CREATE 10 BUILDABLE LOTS FOR DEVELOPMENT.
6. THE STREETS AND EASEMENTS SHOWN THEREON ARE HEREBY DEDICATED TO THE PUBLIC USE FOREVER. THE STREETS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER. FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED, OR PLACED UPON, OVER OR ACROSS THE EASEMENTS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF THE PUBLIC AND ALL PART OF ANY BUILDINGS, FENCES, TREES OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM AND UPON RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. THE EASEMENTS SHOWN FOR ANY MAINTENANCE AND SERVICE REQUIRED OR ORDINABLY PERFORMED BY THAT UTILITY, THE EASEMENTS DEDICATED ARE FOR THE SPECIFIC USE OF INSTALLING AND MAINTAINING WATER, SEWER, ELECTRICAL, NATURAL GAS, TELEPHONE, FIBER, OR CABLEVISION LINES, AND ARE NOT INTENDED TO BE USED FOR GARBAGE DUMPSTERS, THE COLLECTION OF GARBAGE, OR FOR THE USE OF GARBAGE VEHICLES IN ANY MANNER.

## OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT **BOSQUE CLARK LLC, A TEXAS LIMITED LIABILITY COMPANY**, BEING THE SOLE OWNER OF THE ABOVE DESCRIBED PARCEL ACTING BY AND THROUGH THE UNDERSIGNED ITS DULY AUTHORIZED AGENT DO HEREBY ADOPT THE HEREIN ABOVE DESCRIBED PROPERTY AS **LOTS 1 THRU 4, BLOCK 1; LOTS 1, BLOCK 2 AND LOT 1, BLOCK 3, BOSQUE HEIGHTS ADDITION**, AN ADDITION TO THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLICS USE THE STREETS AND EASEMENTS AS SHOWN THEREON.

I HAVE OBTAINED ORIGINAL TAX CERTIFICATES FROM EACH TAXING UNIT WITH JURISDICTION OVER EACH PARCEL OF REAL PROPERTY IN SAID SUBDIVISION INDICATING THAT NO DELINQUENT AD VALOREM TAXES ARE OWED ON THE REAL PROPERTY WHICH IS THE SUBJECT OF THE PLAT OR REPLAT I HAVE SUBMITTED TO THE CITY OF ARLINGTON, ERATH COUNTY, TEXAS FOR FILING AND RECORDING WITH THE ERATH COUNTY CLERKS OFFICE.

WITNESS MY HAND AT STEPHENVILLE, TEXAS, THIS \_\_\_ DAY OF OCTOBER, 2023.

**BOSQUE CLARK LLC, A TEXAS LIMITED LIABILITY COMPANY**

BY: \_\_\_\_\_  
TITLE: OWNER

STATE OF TEXAS                   X  
COUNTY OF ERATH            X

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS PERSONALLY APPEARED AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_ DAY OF OCTOBER, 2023.

NOTARY PUBLIC, STATE OF TEXAS

## LIENHOLDER

BY: \_\_\_\_\_

SIGNATURE OF LIENHOLDER

STATE OF TEXAS                   X  
COUNTY OF ERATH            X

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_ DAY OF OCTOBER, 2023.

NOTARY PUBLIC, STATE OF TEXAS



MERLE W. MILLER  
REGISTERED PROFESSIONAL  
SURVEYOR NO. 5438  
STATE OF TEXAS

DATE: OCTOBER, 2023

STATE OF TEXAS                   X  
COUNTY OF TARRANT        X

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MERLE W. MILLER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS \_\_\_ DAY OF OCTOBER, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

## OWNERS CERTIFICATE

STATE OF TEXAS                   X  
COUNTY OF ERATH            X

WHEREAS **BOSQUE CLARK LLC, A TEXAS LIMITED LIABILITY COMPANY**, ACTING BY AND THROUGH THE UNDERSIGNED IS THE SOLE OWNER OF A 56,134 ACRE TRACT OF LAND SITUATED IN THE JOHN BLAIR SURVEY, ABSTRACT NO. 32, CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN THE GENERAL WARRANTY DEED TO BOSQUE CLARK LLC, FILED FOR RECORD IN COUNTY CLERKS INSTRUMENT NO. 2022-09304, ERATH COUNTY, TEXAS (OPRECT), SAID 56,134 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 3/8" IRON ROD FOUND IN THE NORTHWEST RIGHT-OF-WAY LINE OF MISTLETOE DRIVE, A 50' PUBLIC RIGHT-OF-WAY, BEING THE EASTERNMOST CORNER OF THAT SAID CERTAIN TRACT OF LAND AS DESCRIBED IN THE GENERAL WARRANTY DEED TO BOSQUE CLARK LLC, FILED FOR RECORD IN COUNTY CLERKS INSTRUMENT NO. 2021-09304, OFFICIAL PUBLIC RECORDS, ERATH COUNTY, TEXAS, AND BEING THE SOUTHERNMOST CORNER OF A CALLED 17.23 ACRE TRACT OF LAND AS DESCRIBED IN THE WARRANTY DEED WITH VENDORS LIEN TO STEPHENVILLE SOCCER ASSOCIATION, INC., FILED FOR RECORD IN VOLUME 735, PAGE 410, DIRECT, SAID BEGINNING POINT HAVING A NAD83 TEXAS COORDINATE SYSTEM POSITION (GRID) OF N:6767034.0 E:2054876.7 (BEARINGS & COORDINATE VALUES SHOWN HEREON ARE IN REFERENCE TO THE NAD83 - TEXAS COORDINATE SYSTEM - NORTH CENTRAL ZONE, 4302, BASED ON GPS OBSERVATIONS UTILIZING THE TOPNET LIVE GPS REFERENCE NETWORK).

**THENCE** SOUTH 59 DEGREES 29 MINUTES 51 SECONDS WEST, ALONG SAID NORTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 530.13 FEET, TO A 3/8" IRON ROD FOUND IN THE WEST RIGHT-OF-WAY LINE OF PRAIRIE WIND BOULEVARD, A 50' PUBLIC RIGHT-OF-WAY;

**THENCE** SOUTH 30 DEGREES 28 MINUTES 09 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 70.77 FEET, TO A POINT FOR CORNER;

**THENCE** SOUTH 59 DEGREES 31 MINUTES 57 SECONDS WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, ALONG A LINE 65.74 FEET FROM AND PARALLEL WITH THE SOUTHEAST PROPERTY LINE OF LOT 13, BLOCK 4, RIVER NORTH ADDITION, AN ADDITION TO ERATH COUNTY, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 62, PLAT RECORDS ERATH COUNTY, TEXAS, A DISTANCE OF 125.00 FEET, TO A POINT FOR CORNER, FROM WHICH A 3/8" IRON ROD FOUND FOR REFERENCE BEARS NORTH 30 DEGREES 27 MINUTES 40 SECONDS WEST, A DISTANCE OF 100.29 FEET;

**THENCE** NORTH 30 DEGREES 27 MINUTES 40 SECONDS, ALONG THE NORTHEAST PROPERTY LINE OF BLOCK 2, RIDGEVIEW ESTATES, AN ADDITION TO ERATH COUNTY, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 64, PLAT RECORDS ERATH COUNTY, TEXAS, A DISTANCE OF 304.69 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 59 DEGREES 49 MINUTES 53 SECONDS WEST, DEPARTING SAID NORTHEAST PROPERTY LINE OF SAID BLOCK 2, RIDGEVIEW ESTATES, AND ALONG THE NORTHWEST PROPERTY LINE OF BLOCK 2, RIDGEVIEW ESTATES, A DISTANCE OF 588.45 FEET TO A 1/2" CAPPED IRON ROD FOUND STAMPED "RPLS 1529" IN THE NORTHEAST RIGHT-OF-WAY LINE OF NORTH ISLA AVENUE, A 50' PUBLIC RIGHT-OF-WAY, FROM WHICH A 3/8" IRON ROD FOUND BEARS NORTH 59 DEGREES 53 MINUTES 02 SECONDS EAST, A DISTANCE OF 101.30 FEET SAME BEING THE NORTHEAST CORNER OF LOT 2, BLOCK 2, RIDGEVIEW ESTATES;

**THENCE** NORTH 07 DEGREES 01 MINUTES 15 SECONDS, ALONG SAID NORTHEAST RIGHT-OF-WAY LINE, A DISTANCE OF 662.41 FEET, TO A 1/2" IRON ROD FOUND;

**THENCE** SOUTH 59 DEGREES 50 MINUTES 24 SECONDS WEST, DEPARTING SAID NORTHEAST RIGHT-OF-WAY LINE, AND ALONG THE NORTHWEST PROPERTY LINE OF BLOCK 6, RIDGEVIEW ESTATES PHASE 3, AN ADDITION TO ERATH COUNTY, ACCORDING TO THE PLAT RECORDED IN CABINET B, SLIDE 48-B, PLAT RECORDS ERATH COUNTY, TEXAS, A DISTANCE OF 880.05 FEET TO A POINT FOR CORNER SAME BEING THE SOUTHEAST CORNER OF LOT 3, BLOCK 21, RIVER NORTH PHASE 2;

**THENCE** NORTH 30 DEGREES 08 MINUTES 58 SECONDS WEST, DEPARTING SAID NORTHWEST PROPERTY LINE AND ALONG THE NORTHEAST PROPERTY LINE OF SAID BLOCK 21, RIVER NORTH PHASE 2, A DISTANCE OF 304.4 FEET TO A POINT FOR CORNER SAME BEING THE NORTHEAST CORNER OF SAID LOT 3, BLOCK 21, RIVER NORTH PHASE 2;

**THENCE** SOUTH 80 DEGREES 33 MINUTES 09 SECONDS WEST ALONG THE NORTH PROPERTY LINE OF SAID LOT 3, BLOCK 21, RIVER NORTH PHASE 2, A DISTANCE OF 12.97 FEET TO A POINT FOR CORNER, SAME BEING THE SOUTHEAST CORNER OF LOT 4, BLOCK 21, RIVER NORTH PHASE 2;

**THENCE** NORTH 20 DEGREES 04 MINUTES 05 SECONDS WEST, ALONG SAID NORTHWEST PROPERTY LINE, A DISTANCE OF 210.48 FEET, TO A 3/8" IRON ROD FOUND, SAME BEING THE NORTHEAST CORNER OF LOT 5, BLOCK 21, RIVER NORTH PHASE 2 AND BEING IN THE SOUTHEAST RIGHT-OF-WAY LINE OF PRAIRIE WIND BOULEVARD, A 50' PUBLIC RIGHT-OF-WAY;

**THENCE** NORTH 68 DEGREES 30 MINUTES 22 SECONDS EAST, ALONG SAID NORTHEAST PROPERTY LINE, A DISTANCE OF 11.45 FEET TO A 3/8" IRON ROD FOUND IN SAID SOUTHEAST RIGHT-OF-WAY LINE;

**THENCE** NORTH 20 DEGREES 35 MINUTES 59 SECONDS WEST, ALONG SAID NORTHEAST PROPERTY LINE, A DISTANCE OF 199.75, TO A 3/8" IRON ROD FOUND SAME BEING THE NORTHEAST CORNER OF LOT 2&4, BLOCK 7, RIVER NORTH PHASE 2, AND BEING THE BEGINNING OF A CURVE TO THE RIGHT WHOSE RADIUS IS 779.92 SAID POINT HAVING A NAD83 TEXAS COORDINATE SYSTEM POSITION (GRID) OF N:6767247.9 E:2052684.2 ALSO BEING IN THE NORTH PROPERTY LINE OF SAID BLOCK 7, RIVER NORTH PHASE 2;

**THENCE** ALONG SAID CURVE TO THE RIGHT AND WITH A CURVED BEARING OF SOUTH 74 DEGREES 51 MINUTES 44 SECONDS WEST, A CHORD LENGTH OF 148.58 FEET, DISTANCE OF 148.58 FEET TO A 3" FENCE POST, SAME BEING THE WESTERNMOST CORNER OF SAID LOT 2&4, BLOCK 7, RIVER NORTH ADDITION PHASE 2 AND ALSO BEING THE WESTERNMOST CORNER OF THE TRACT DESCRIBED HEREIN;

**THENCE** NORTH 11 DEGREES 52 MINUTES 51 SECONDS EAST, DEPARTING SAID NORTH PROPERTY LINE AND ALONG THE WEST PROPERTY LINE OF SAID CALLED 53.915 ACRE TRACT, A DISTANCE OF 127.31 FEET TO A POINT FOR CORNER SAME BEING THE NORTHEAST CORNER OF A CALLED 12.80 ACRE TRACT RECORDED IN DOCUMENT NUMBER 2019-046551 OFFICIAL PUBLIC RECORDS ERATH COUNTY, TEXAS;

**THENCE** NORTH 51 DEGREES 44 MINUTES 56 SECONDS EAST, DEPARTING SAID WEST PROPERTY LINE, A DISTANCE OF 119.00 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 25 DEGREES 28 MINUTES 58 SECONDS EAST, A DISTANCE OF 145.30 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 89 DEGREES 30 MINUTES 56 SECONDS EAST, A DISTANCE OF 125.30 FEET TO A POINT FOR CORNER SAME BEING THE NORTHERNMOST CORNER OF THE TRACT DESCRIBED HEREIN;

**THENCE** SOUTH 38 DEGREES 25 MINUTES 04 SECONDS EAST, A DISTANCE OF 165.00 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 22 DEGREES 22 MINUTES 04 SECONDS EAST, A DISTANCE OF 244.00 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 82 DEGREES 19 MINUTES 46 SECONDS EAST, A DISTANCE OF 254.10 FEET TO A POINT FOR CORNER;

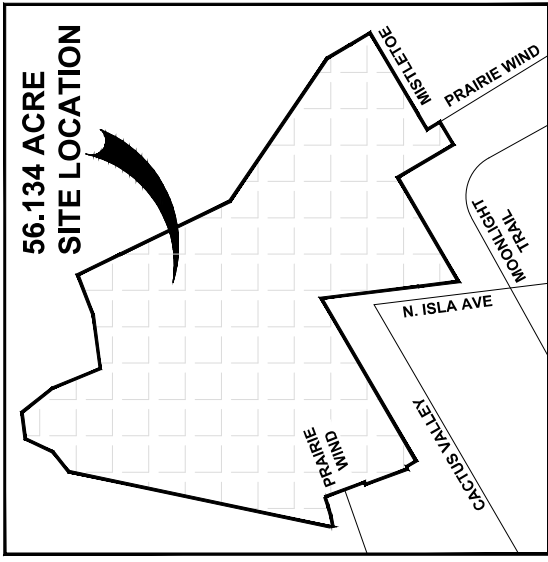
**THENCE** NORTH 69 DEGREES 00 MINUTES 56 SECONDS EAST, A DISTANCE OF 204.60 FEET TO A POINT FOR CORNER SAME BEING THE SOUTHWEST CORNER OF A CALLED 91.83 ACRE TRACT FILED FOR RECORD IN COUNTY CLERKS INSTRUMENT NO. 2022-00119, OFFICIAL PUBLIC RECORDS, ERATH COUNTY, TEXAS (OPRECT), OFFICIAL PUBLIC RECORDS ERATH COUNTY, TEXAS AND ALSO BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE** SOUTH 25 DEGREES 39 MINUTES 16 SECONDS EAST, A DISTANCE OF 206.67 TO A 3" FENCE POST, SAME BEING THE NORTHWEST CORNER OF A CALLED 10.36 ACRE TRACT RECORDED IN VOLUME 735, PAGE 410, DEED RECORDS ERATH COUNTY, TEXAS;

**THENCE** SOUTH 25 DEGREES 45 MINUTES 46 SECONDS EAST, A DISTANCE OF 576.09 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 55 DEGREES 46 MINUTES 09 SECONDS EAST, A DISTANCE OF 819.50 FEET TO A 3/8" IRON ROD FOUND;

**THENCE** SOUTH 30 DEGREES 28 MINUTES 57 SECONDS EAST, A DISTANCE OF 235.26 FEET, TO THE POINT OF BEGINNING, AND CONTAINING 56,134 ACRES (2,348,539 SOAURE FEET);



## VICINITY MAP NTS

## REPLAT

LOTS 1 THRU 4, BLOCK 1;  
LOTS 1 THRU 6, BLOCK 2;  
LOT 1, BLOCK 3;

## BOSQUE HEIGHTS ADDITION

SITUATED IN THE JOHN BLAIR SURVEY ~  
ABSTRACT NO. 32

CITY OF STEPHENVILLE  
ERATH COUNTY, TEXAS  
11 LOTS

SURVEYOR:

# MWM

LAND SURVEYING

MERLE W. MILLER LAND SURVEYING  
5049 EDWARD RANCH ROAD, STE 300  
FORT WORTH, TX 76109

PHONE: 817.228.7870  
"B"PELS FIRM #10194766  
MERLE@MWM-LANDSURVEYING.COM

OCTOBER 2023

PAGE 2 OF 2

ENGINEER:  
FLANAGAN LAND SOLUTIONS, LLC  
CONTACT: REECE FLANAGAN, PE  
ADDRESS: 4300 W. WACO DRIVE  
SUITE 55-227, WACO, TX 76710

OWNER:  
BOSQUE CLARK LLC  
CONTACT: MALCOLM KANUTE  
PO BOX 9289 WICHITA FALLS  
TEXAS, 76708-9289





## STAFF REPORT

**SUBJECT:** Case No.: PP2023-002

Applicant Reece Flanagan of Flanagan Land Solutions, representing Joel Allen with Pecan Landing Development, Inc. is requesting a preliminary plat of property located at 0 Forest Lane, Parcel R77150, Acres 36.765, A0515 MOTLEY WILLIAM, of the City of Stephenville, Erath County, Texas. The Applicant is requesting approval of a preliminary plat for 157 lots.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

### RECOMMENDATION:

The applicant has submitted a Preliminary Plat that has been reviewed by staff. A Final Plat will be submitted to the Commission upon completion and acceptance of public improvements. Staff has the following comments in relation to the Preliminary Plat and recommends approval with conditions as noted per the requirements of Chapter 155 and the Planned Development:

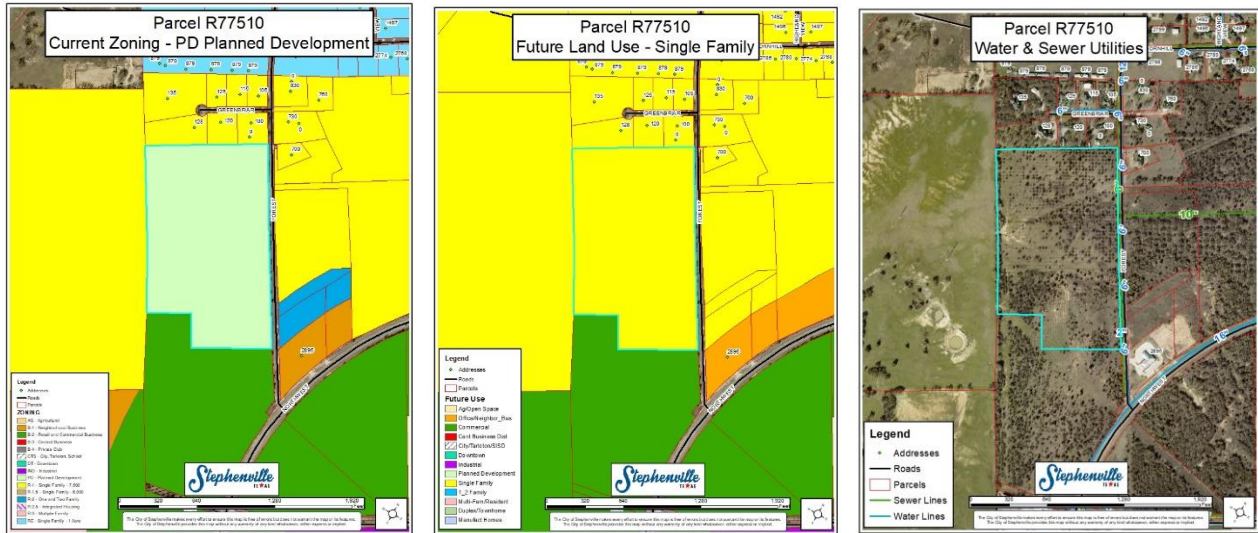
1. Common areas are labeled. However, Plat note indicates all common lots are to be Dedicated to the city. Common lots will be for the HOA to maintain and not dedicated to the city, with exception to area 1x of Block F, which is to be dedicated to the city. Plat note needs to be corrected.
2. Please provide common access easements along Forest Road for screening wall maintenance.
3. The Park, common area 1x of Block F, shall be dedicated to the City.
4. Provide side setbacks for each lot as approved with the Planned Development.
5. Please add "Not for Recording Purposes" in the Preliminary Plat box.

### BACKGROUND:

This property was rezoned to Planned Development in April 2023.

Mr. Allen has now submitted civil plans that are under review and is requesting approval of the Preliminary Plat.

### PROPERTY PROFILE:



**Sec. 155.4.05. Preliminary plat.**

- A. *Purpose.* The purpose of a Preliminary Plat shall be to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of this Subdivision Ordinance.
- B. *Applicability.* No subdivision of land shall be allowed without proper submittal, approval, and adoption of a Preliminary Plat.
- C. *Exceptions.*
  - 1. A Preliminary Plat is not required when a Minor Plat is submitted (refer to 4.07).
  - 2. A Final Plat in accordance with Section 4.06 may be submitted in lieu of a Preliminary Plat if a Development Agreement and appropriate surety are submitted along with the Application.
- D. *Accompanying Applications.*
  - 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; and
    - d. Other plans if deemed necessary for thorough review by the Responsible Official, such as a Planned Development Master Plan.

Approval of each shall be separately included with this application.
  - 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.
- E. *Review by City Administrator/Responsible Official.* The City Administrator shall:
  - 1. Initiate review of the plat and materials submitted.
  - 2. Make available Plats and reports to the Commission for review.
  - 3. Upon determination that the Application is ready to be acted upon, schedule the Preliminary Plat for consideration on the agenda of the next available meeting of the Planning and Zoning Commission.
- F. *Action by the Planning and Zoning Commission.* The Commission shall:

1. Review the Preliminary Plat Application, the findings of the City Administrator and any other information available.
    - a. From all such information, the Commission shall determine whether the Preliminary Plat conforms to this Subdivision Ordinance.
  2. Act within thirty (30) calendar days following the Official Submission Date, unless the Applicant submits a Waiver of Right to 30-Day Action.
    - a. If no decision is rendered by the Commission within the thirty (30) day period described above or such longer period as may have been agreed upon, the Preliminary Plat, as submitted, shall be deemed approved by the Commission.
  3. Take one of the following actions:
    - a. Approve the Preliminary Plat;
    - b. Approve the Preliminary Plat with conditions, which shall mean that the Preliminary Plat shall be considered to have been approved once such conditions are fulfilled and until the conditions are satisfied, it is considered denied; or
    - c. Deny the Preliminary Plat.
- G. *Criteria for Approval.* The following criteria shall be used by the Commission to determine whether the Application for a Preliminary Plat shall be approved, approved with conditions, or denied:
1. All Plats must be drawn to conform to the zoning regulations currently applicable to the property. If a zoning change for the property is proposed, then the zoning change must be completed before the approval of any Preliminary Plats/Final Plats;
  2. No Plat or Replat may be approved that leaves a structure located on a remainder lot.
  3. The Preliminary Plat is consistent with any approved Development Agreement;
  4. The proposed provision and configuration of Public Improvements including, but not limited to, roads, water, wastewater, storm drainage, park facilities, open spaces, habitat restoration, easements and Right-of-Way are adequate to serve the development, meet applicable standards of this Subdivision Ordinance, and conform to the City's adopted master plans for those facilities;
  5. The Preliminary Plat has been duly reviewed by applicable City staff;
  6. The Preliminary Plat conforms to design requirements and construction standards as set forth in the Engineering Standards Manual.
  7. The Preliminary Plat is consistent with the adopted Comprehensive Plan, except where application of the Plan may conflict with State law;
  8. The proposed development represented on the Preliminary Plat does not endanger public health, safety or welfare; and
  9. The Preliminary Plat conforms to the City's subdivision Application checklists.
- H. *Effect of Approval.*
1. Approval of a Preliminary Plat shall allow the Applicant to proceed with the development and platting process by submitting Construction Plans and Final Plat.
  2. Approval of the Preliminary Plat shall be deemed general approval of the subdivision's layout only, and shall not constitute approval or acceptance of Construction Plans or a Final Plat.

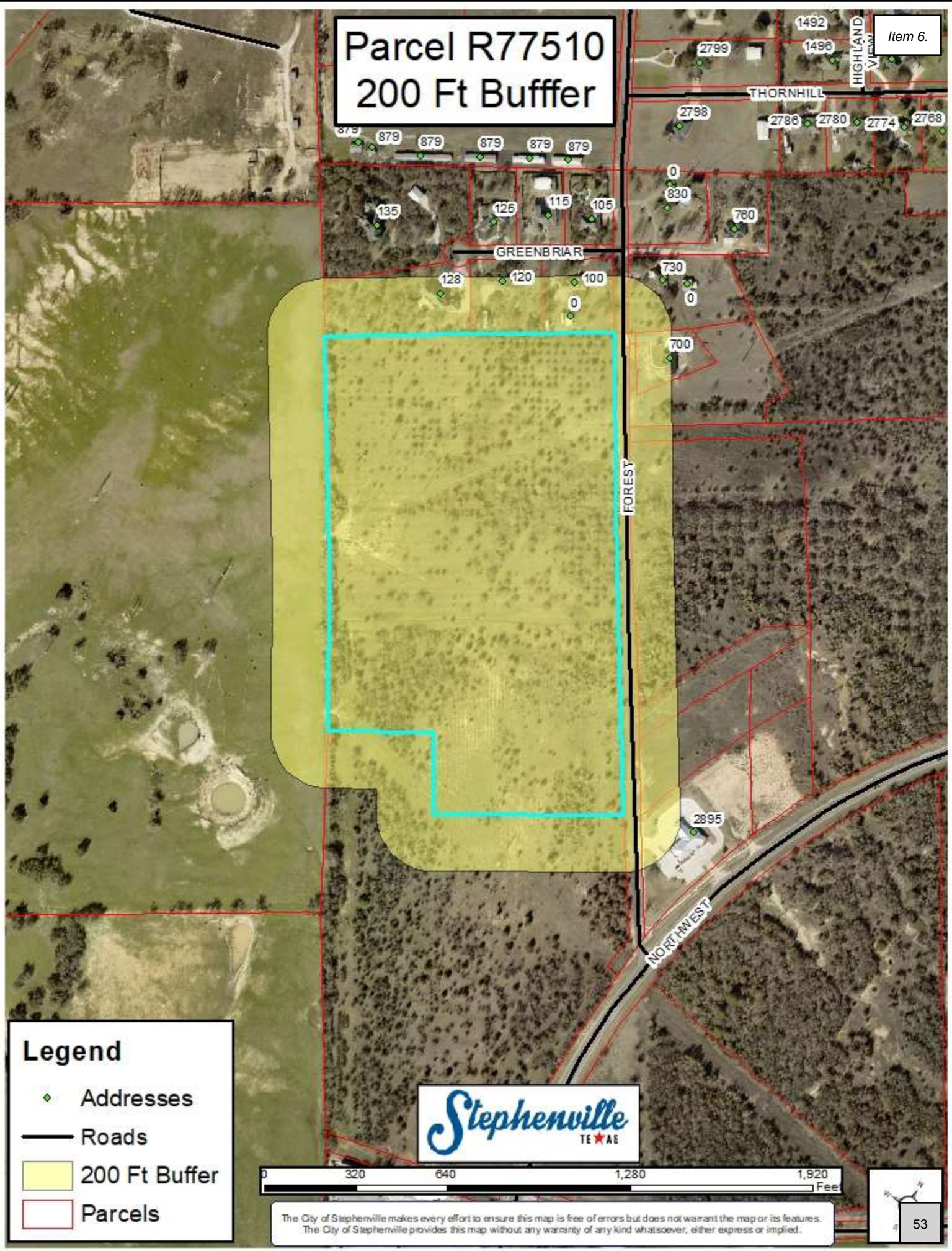
## ALTERNATIVES

1. Approve the Preliminary Plat;
2. Approve the Preliminary Plat with conditions, which shall mean that the Preliminary Plat shall be considered to have been approved once such conditions are fulfilled and until the conditions are satisfied, it is considered denied; or
3. Deny the Preliminary Plat.



# Parcel R77510 200 Ft Buffer

Item 6.



### Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels

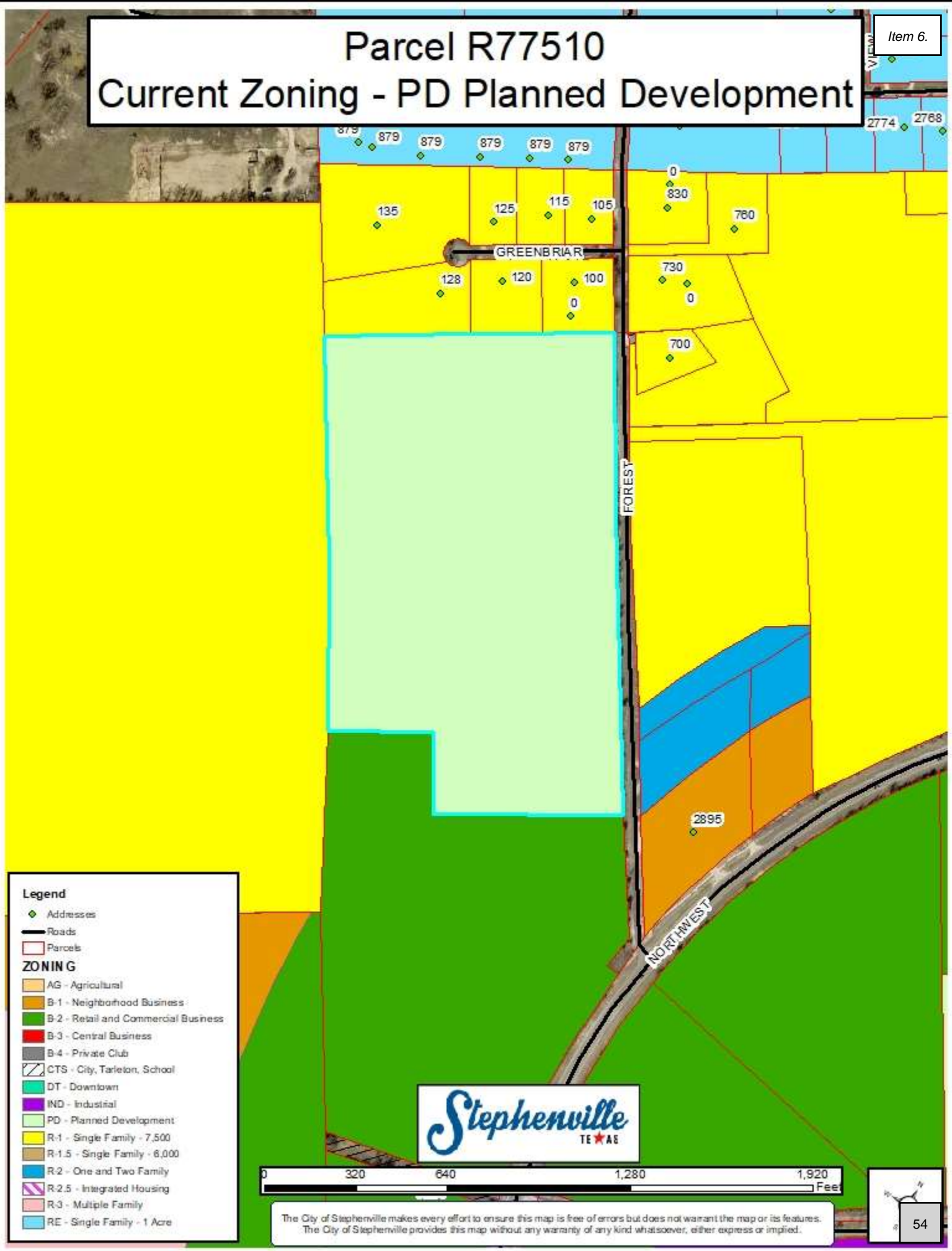


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# Parcel R77510

## Current Zoning - PD Planned Development

Item 6.



**Legend**

- ◆ Addresses
- Roads
- ▭ Parcels

**ZONING**

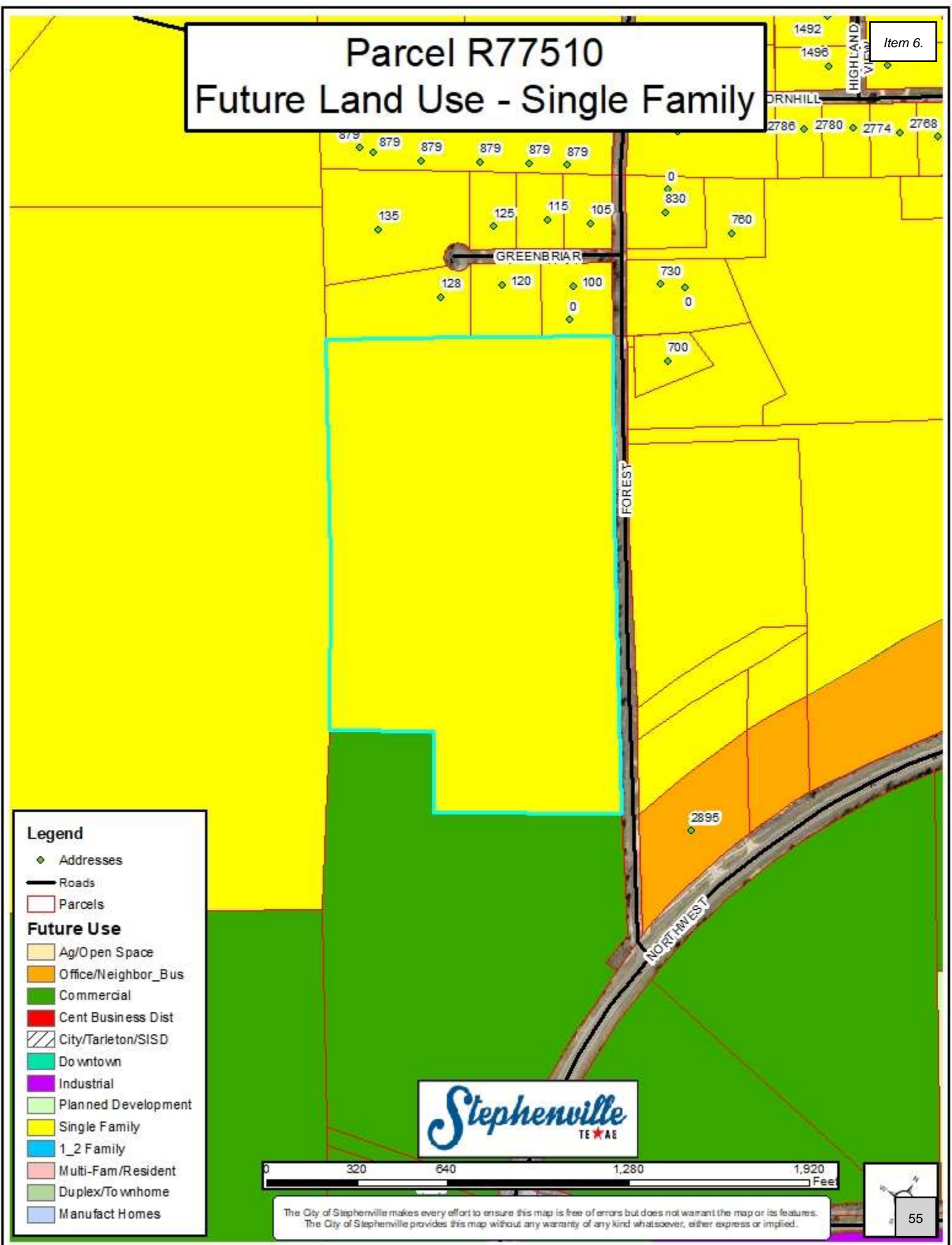
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 8,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



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# Parcel R77510 Future Land Use - Single Family

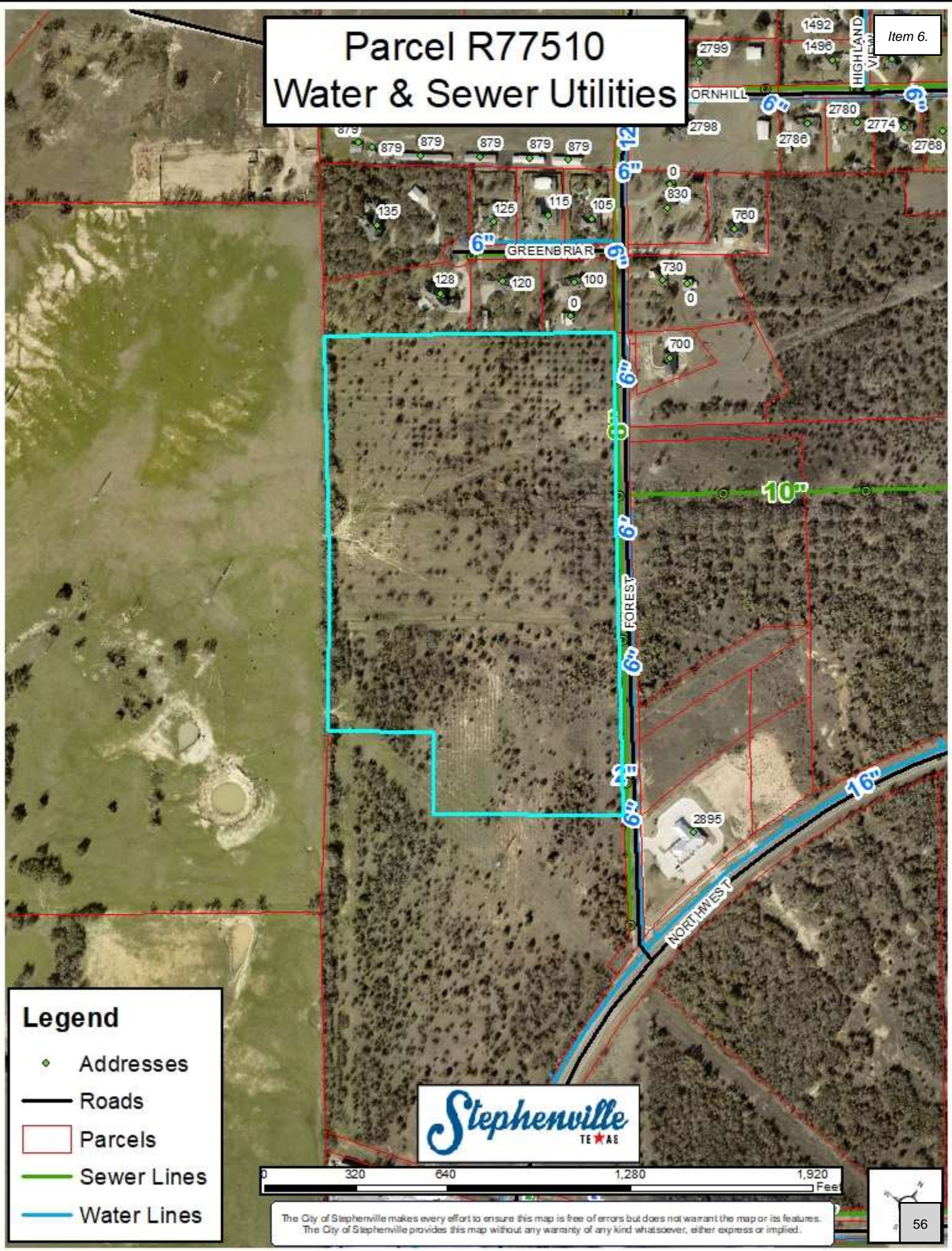
Item 6.



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# Parcel R77510 Water & Sewer Utilities

Item 6.



## Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Sewer Lines
- Water Lines



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.





**OWNERS CERTIFICATION:**

§ STATE OF TEXAS  
 § COUNTY OF ERATH

BEING a tract of land within the William Motley Survey, Abstract No. 515, City of Stephenville, Erath County, Texas, and being all of that tract of land described in the deed to Pecan Landing, LLC, as recorded in Document No. 2022-00987, Real Records, Erath County, Texas, and being more particularly described by metes and bounds as follows: (Basis of bearing being U.S. State Plane Grid - Texas North Central Zone (4202) NAD83 as established using the AllTerra RTKNet Cooperative Network. Reference frame is NAD83(2011) Epoch 2010.0000. Distances shown are U.S. Survey feet displayed in surface values).

BEGINNING at a 5/8 inch capped iron rod set marked "NATIVE CO., LLC" (IRS) for the northeast corner of said Pecan Landing, LLC tract and the southeast corner of Lot 1, Block 5, Peacock Estates Subdivision, Phase II, an addition to the City of Stephenville, Erath County, Texas, as shown per plat recorded in Cabinet A, Slide 313A, Plat Records, Erath County, Texas, also being in the west right-of-way line of Forrest Road (a 50 feet wide public right-of-way);

THENCE with the west right-of-way line of Forrest Road the following courses and distances:

South 30°22'49" East, a distance of 630.05 feet to an IRS;

South 31°31'49" East, a distance of 1,058.13 feet to an IRS for the southeast corner of said Pecan Landing, LLC, tract;

THENCE with the southern lines of said Pecan Landing, LLC tract the following courses and distances:

South 60°18'03" West, a distance of 666.83 feet to an IRS;

North 29°41'57" West, a distance of 288.00 feet to an IRS;

South 60°18'03" West, a distance of 368.24 feet to an IRS for the southwest corner of said Pecan Landing, LLC tract and being in east line of a tract of land described in the deed to Linda Hardin Living Trust, as recorded in Volume 1409, Page 957, Deed Records, Erath County, Texas, from which a 3/8 inch iron rod found at an angle point in the east line of said Hardin tract bears South 29°41'57" West, a distance of 619.80 feet;

THENCE with the common line of said Pecan Landing, LLC tract and said Hardin tract, the following courses and distances:

North 29°41'57" West, a distance of 583.68 feet to a 1/2 inch iron rod found;

North 31°09'54" West, a distance of 803.87 feet to a 1/2 inch iron rod found for the northwest corner of said Pecan Landing, LLC tract and the southwest corner of Lot 9, Block 5, Peacock Estates Subdivision, Phase III, an addition to the City of Stephenville, Erath County, Texas, as shown per replat, as recorded in Cabinet B, Slide 146A, Plat Records, Erath County, Texas;

THENCE North 59°36'20" East, with the north line of said Pecan Landing, LLC tract, a distance of 1,014.41 feet to the POINT OF BEGINNING and containing 1,601,466 Square Feet or 36.765 Acres of Land.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

THAT, **PECAN LANDING, LLC**, acting by and through the undersigned, their duly authorized agent, does hereby adopt this plat designating the herein above described real property as **LOTS 1X, 2-13, 14X, 15-23, 24X, 25-30, 31X, 32-40, 41X, 42-44, & 45X, LOTS 1X, 2-6, BLOCK B, LOTS 1X, 2-14, BLOCK C, LOTS 1X, 2-14 & 15X, BLOCK D, LOTS 1X & 2-36, BLOCK E, LOT 1X, BLOCK F, LOTS 1-14, BLOCK G, LOTS 1-10, BLOCK H, LOTS 1X, 2-5, 6X, 7-10, 11X, 12-15, 16X, 17-20, BLOCK I, PECAN LANDING**, an addition to the City of Stephenville, Texas. The streets and easements shown thereon are hereby dedicated to the Public use forever. The streets are dedicated for street purposes. The easements and open space lots, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same. Any, and all public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and/or for any maintenance and service required or ordinarily performed by that utility. The easements dedicated are for the specific use of installing and maintaining water, sewer, electrical, natural gas, telephone, fiber or cablevision lines, and are not intended to be used for garbage dumpsters, the collection of garbage, or for the use of garbage vehicles in any manner.

This plat does not alter or remove existing deed restrictions or covenants, if any, on this property.

Pecan Landing, LLC - Owner/Representative

§ STATE OF TEXAS  
 § COUNTY OF ERATH

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary Public in and for \_\_\_\_\_ My commission expires \_\_\_\_\_  
 the State of Texas

**SURVEYOR'S CERTIFICATION:**

I, N. Zane Griffin, do hereby certify that I prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Stephenville, Erath County, Texas.

**PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE**

Purpose of Document: Review

Surveyor: N. Zane Griffin

Registered Professional Land Surveyor No. 6810

Release Date: 11-9-23

N. Zane Griffin, RP/LS No. 6810

Date: November 9, 2023

TRPLS Firm No. 10194572

| LINE DATA TABLE |             |        | CURVE DATA TABLE |            |        |          |               |            |
|-----------------|-------------|--------|------------------|------------|--------|----------|---------------|------------|
| NO.             | BEARING     | DIST   | NO.              | DELTA      | RADIUS | ARC DIST | CHORD BEARING | CHORD DIST |
| L1              | S14°36'46"W | 21.22' | C1               | 90°46'14"  | 45.00' | 71.29'   | S14°13'13"W   | 64.07'     |
| L2              | S75°23'14"E | 21.21' | C2               | 90°00'00"  | 45.00' | 70.69'   | S74°41'57"E   | 63.64'     |
| L3              | S73°56'06"E | 30.15' | C3               | 67°03'13"  | 45.00' | 52.66'   | S3°49'39"W    | 49.71'     |
| L4              | N14°13'13"E | 21.07' | C4               | 112°56'47" | 45.50' | 89.69'   | N86°10'21"W   | 75.86'     |
| L5              | N86°54'19"W | 28.15' | C5               | 22°49'30"  | 70.50' | 28.09'   | S48°11'35"W   | 27.90'     |
| L6              | N3°05'41"E  | 24.79' | C6               | 22°24'39"  | 70.50' | 27.58'   | S25°34'31"W   | 27.40'     |
| L7              | N86°54'19"W | 28.15' | C7               | 28°42'35"  | 70.50' | 35.33'   | S0°00'54"W    | 34.96'     |
| L8              | N3°49'39"E  | 25.01' | C8               | 16°49'31"  | 70.50' | 20.70'   | S22°45'09"E   | 20.63'     |
| L9              | N74°41'57"W | 21.21' | C9               | 13°58'08"  | 70.50' | 17.19'   | S36°41'01"E   | 17.15'     |
| L10             | N7°34'17"E  | 20.00' | C10              | 38°45'37"  | 70.50' | 47.69'   | S63°02'54"E   | 46.79'     |
| L11             | S15°18'03"W | 21.21' | C11              | 23°05'58"  | 70.50' | 28.42'   | N86°01'18"E   | 28.23'     |
| L12             | N74°41'57"W | 14.14' | C12              | 14°10'17"  | 70.50' | 17.44'   | N67°23'11"E   | 17.39'     |
| L13             | N3°49'39"E  | 16.67' | C13              | 22°36'54"  | 70.50' | 27.83'   | S18°23'30"E   | 27.65'     |
| L14             | S86°10'21"E | 11.05' | C14              | 18°53'37"  | 70.50' | 23.25'   | S2°21'45"W    | 23.14'     |
| L15             | S15°18'03"W | 14.14' | C15              | 25°32'43"  | 70.50' | 31.43'   | S24°34'55"W   | 31.17'     |
| L16             | N74°41'57"W | 21.21' | C16              | 43°45'42"  | 40.00' | 30.55'   | S15°28'25"W   | 29.81'     |
| L17             | S15°18'03"W | 21.21' | C17              | 63°06'54"  | 50.00' | 55.08'   | S25°09'00"W   | 52.34'     |
| L18             | S86°10'21"E | 27.62' | C18              | 36°15'10"  | 50.00' | 31.64'   | S74°50'02"W   | 31.11'     |
| L19             | N74°41'57"W | 21.21' | C19              | 32°44'26"  | 50.00' | 28.57'   | N70°40'10"W   | 28.18'     |
| L20             | S14°23'07"W | 20.87' | C20              | 68°21'42"  | 50.00' | 59.66'   | N20°07'06"W   | 56.18'     |
| L21             | S75°36'53"E | 21.55' | C21              | 31°07'18"  | 40.00' | 21.73'   | N1°29'54"W    | 21.46'     |
| L22             | N15°18'03"E | 21.21' | C22              | 12°38'24"  | 40.00' | 8.82'    | N23°22'45"W   | 8.81'      |
| L23             | S74°41'57"E | 21.21' | C23              | 76°31'32"  | 70.50' | 94.16'   | N67°57'44"W   | 87.32'     |
| L24             | S15°18'03"W | 21.21' | C24              | 36°25'14"  | 70.50' | 44.81'   | S55°33'53"W   | 44.06'     |
| L25             | N74°41'57"W | 21.21' |                  |            |        |          |               |            |
| L26             | N15°18'03"E | 21.21' |                  |            |        |          |               |            |
| L27             | S74°41'57"E | 21.21' |                  |            |        |          |               |            |
| L28             | N15°18'03"E | 21.21' |                  |            |        |          |               |            |
| L29             | S75°36'53"E | 21.55' |                  |            |        |          |               |            |
| L30             | S14°23'07"W | 20.87' |                  |            |        |          |               |            |

ACCEPTED AND APPROVED:

DIRECTOR OF PLANNING AND DEVELOPMENT \_\_\_\_\_

CITY SECRETARY \_\_\_\_\_

DATE \_\_\_\_\_

I, Gwinda Jones, Clerk of the County Court of Erath County, do hereby certify that the foregoing instrument in writing, with its certificate of authentication was filed for record and duly recorded in my office this \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock, \_\_\_\_\_, in the Official Public Records of Erath County, Texas in \_\_\_\_\_, Cabinet \_\_\_\_\_, Slide \_\_\_\_\_.

Document No. \_\_\_\_\_, Cabinet \_\_\_\_\_, Slide \_\_\_\_\_.

TO CERTIFY WHICH, WITNESS my hand and seal at the County Court of Erath County, at my office in Erath County, Texas, the date last shown above written.

Gwinda Jones, Clerk County Court of Erath County, Texas

Deputy \_\_\_\_\_

**PRELIMINARY PLAT  
 PECAN GROVE ADDITION**

36.765 ACRES IN THE  
 WILLIAM MOTLEY SURVEY, ABSTRACT NO. 515,  
 CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS  
 PAGE 2 OF 2



P.O. Box 2465 Stephenville, Tx 76401  
 zane@nativecoandsurveying.com ~ 254-434-6695  
 TRPLS Firm No. 10194572



# STAFF REPORT

**SUBJECT:** Case No.: PP2023-003

Applicant Reece Flanagan of Flanagan Land Solutions, representing Troy Kunkel with Cowtown Properties and 598 Westwood LLC, is requesting to amend the Planned Development/Preliminary Plat of properties located at 817 W. Washington, being Parcel 29583 of CITY ADDITION, BLOCK 62, LOT 6A;7;14;17; (PT, OF 14), 855 and 865 W. Washington, being Parcel R29581 of CITY ADDITION, BLOCK 62; LOTS 4;5;6B (PT, OF 5), 873 W. Washington, being Parcel R29580 of CITY ADDITION, BLOCK 62; LOT 3, and 897 W Washington, being Parcel R29579 of CITY ADDITION, BLOCK 62; LOT 2 of the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

## RECOMMENDATION:

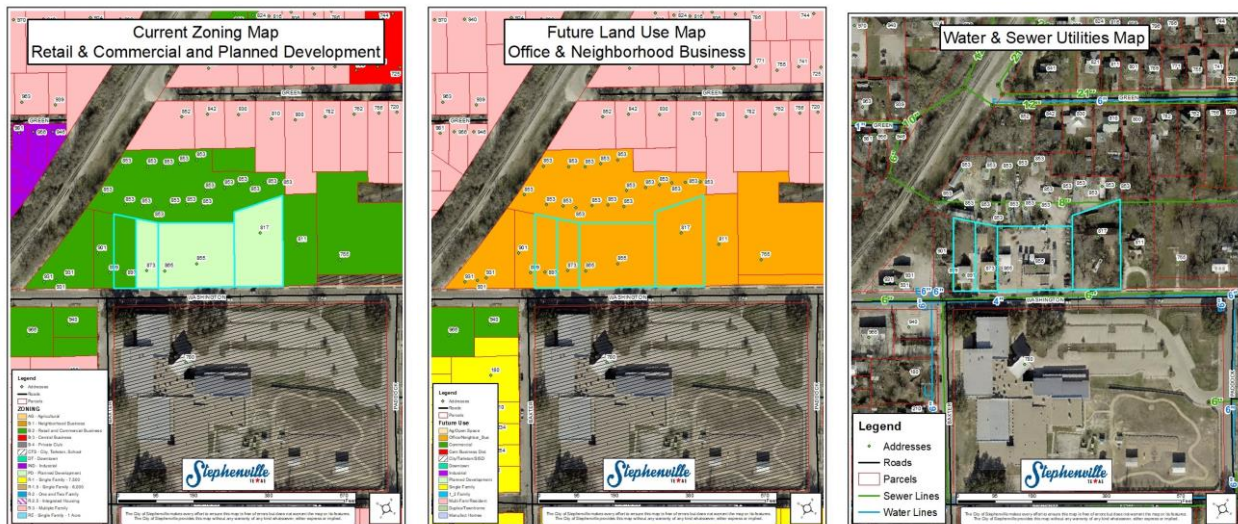
The applicant has submitted a Preliminary Plat that has been reviewed by staff. A Final Plat will be submitted to the Commission upon completion and acceptance of public improvements.

## BACKGROUND:

On August 15, 2021, the applicant presented the Conceptual Plan to the Planning and Zoning Commission for an intended townhome development. Planning and Zoning recommended City Council approve the PD which occurred December 2021. In March 2023, the City Council approved a modified development schedule.

Staff have been working with the Developer and Project Engineer with plan submittals. Additional Right-of-Way dedication is necessary. Consequently, the Developer is requesting to amend his Planned Development by adding parcel R29579 (897 W. Washington). This amendment will allow ROW dedication with additional phases of the PD to be constructed at 897 W. Washington. Overall, no additional units will be constructed and TxDOT access will not be impacted as the entrances/exit remain unchanged.

## PROPERTY PROFILE:



### Sec. 155.4.05. Preliminary plat.

- A. *Purpose.* The purpose of a Preliminary Plat shall be to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of this Subdivision Ordinance.
- B. *Applicability.* No subdivision of land shall be allowed without proper submittal, approval, and adoption of a Preliminary Plat.
- C. *Exceptions.*
1. A Preliminary Plat is not required when a Minor Plat is submitted (refer to 4.07).
  2. A Final Plat in accordance with Section 4.06 may be submitted in lieu of a Preliminary Plat if a Development Agreement and appropriate surety are submitted along with the Application.
- D. *Accompanying Applications.*
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; and
    - d. Other plans if deemed necessary for thorough review by the Responsible Official, such as a Planned Development Master Plan.

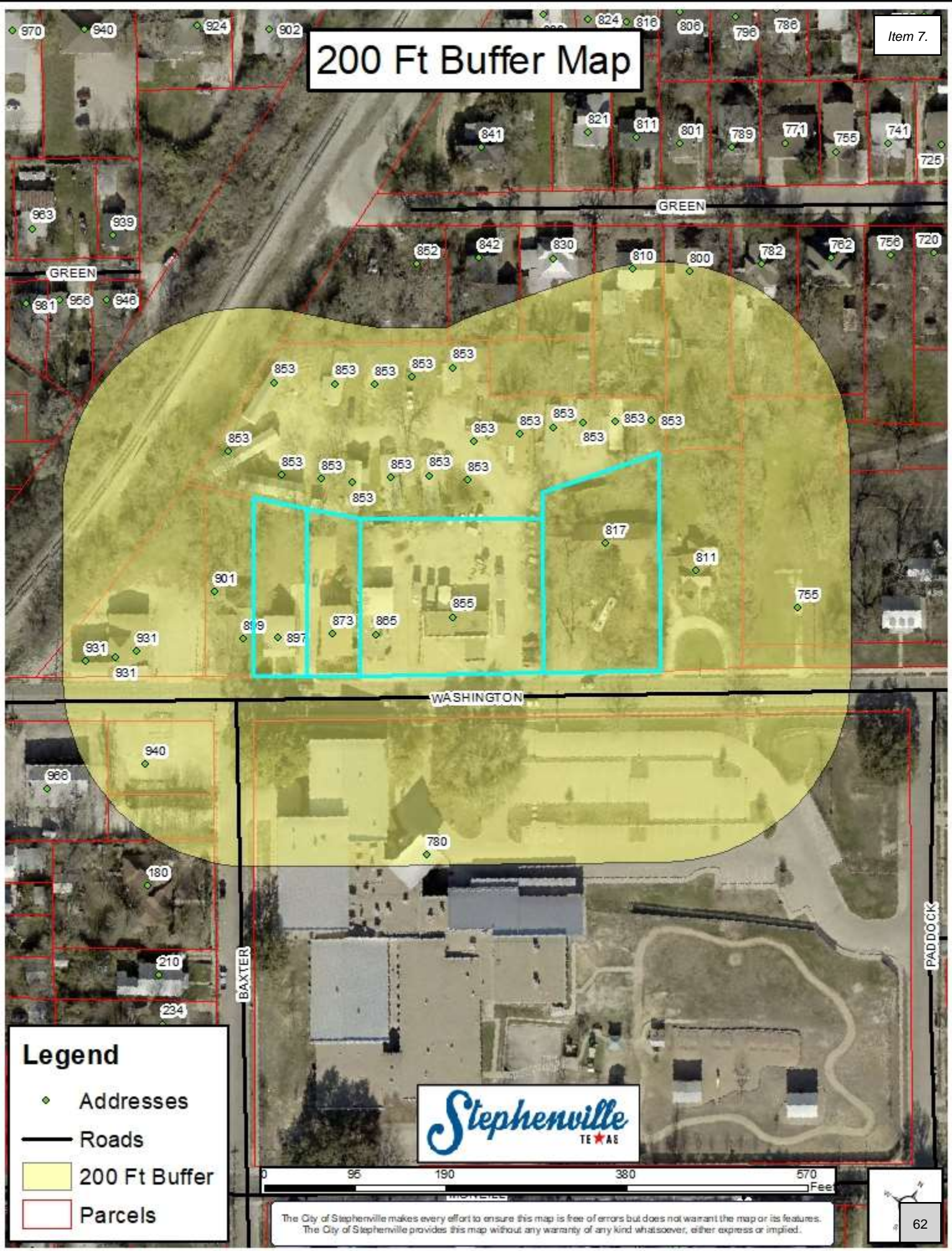
Approval of each shall be separately included with this application.
  2. *Current Title Commitments.* The Applicant shall furnish with the Application to the City a current title commitment issued by a title insurance company authorized to do business in Texas, a title opinion letter from an attorney 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.
- E. *Review by City Administrator/Responsible Official.* The City Administrator shall:
1. Initiate review of the plat and materials submitted.
  2. Make available Plats and reports to the Commission for review.
  3. Upon determination that the Application is ready to be acted upon, schedule the Preliminary Plat for consideration on the agenda of the next available meeting of the Planning and Zoning Commission.
- F. *Action by the Planning and Zoning Commission.* The Commission shall:
1. Review the Preliminary Plat Application, the findings of the City Administrator and any other information available.
    - a. From all such information, the Commission shall determine whether the Preliminary Plat conforms to this Subdivision Ordinance.
  2. Act within thirty (30) calendar days following the Official Submission Date, unless the Applicant submits a Waiver of Right to 30-Day Action.
    - a. If no decision is rendered by the Commission within the thirty (30) day period described above or such longer period as may have been agreed upon, the Preliminary Plat, as submitted, shall be deemed approved by the Commission.
  3. Take one of the following actions:
    - a. Approve the Preliminary Plat;
    - b. Approve the Preliminary Plat with conditions, which shall mean that the Preliminary Plat shall be considered to have been approved once such conditions are fulfilled and until the conditions are satisfied, it is considered denied; or
    - c. Deny the Preliminary Plat.

- G. *Criteria for Approval.* The following criteria shall be used by the Commission to determine whether the Application for a Preliminary Plat shall be approved, approved with conditions, or denied:
1. All Plats must be drawn to conform to the zoning regulations currently applicable to the property. If a zoning change for the property is proposed, then the zoning change must be completed before the approval of any Preliminary Plats/Final Plats;
  2. No Plat or Replat may be approved that leaves a structure located on a remainder lot.
  3. The Preliminary Plat is consistent with any approved Development Agreement;
  4. The proposed provision and configuration of Public Improvements including, but not limited to, roads, water, wastewater, storm drainage, park facilities, open spaces, habitat restoration, easements and Right-of-Way are adequate to serve the development, meet applicable standards of this Subdivision Ordinance, and conform to the City's adopted master plans for those facilities;
  5. The Preliminary Plat has been duly reviewed by applicable City staff;
  6. The Preliminary Plat conforms to design requirements and construction standards as set forth in the Engineering Standards Manual.
  7. The Preliminary Plat is consistent with the adopted Comprehensive Plan, except where application of the Plan may conflict with State law;
  8. The proposed development represented on the Preliminary Plat does not endanger public health, safety or welfare; and
  9. The Preliminary Plat conforms to the City's subdivision Application checklists.
- H. *Effect of Approval.*
1. Approval of a Preliminary Plat shall allow the Applicant to proceed with the development and platting process by submitting Construction Plans and Final Plat.
  2. Approval of the Preliminary Plat shall be deemed general approval of the subdivision's layout only, and shall not constitute approval or acceptance of Construction Plans or a Final Plat.

## ALTERNATIVES

1. Approve the Preliminary Plat;
2. Approve the Preliminary Plat with conditions, which shall mean that the Preliminary Plat shall be considered to have been approved once such conditions are fulfilled and until the conditions are satisfied, it is considered denied; or
3. Deny the Preliminary Plat.

# 200 Ft Buffer Map



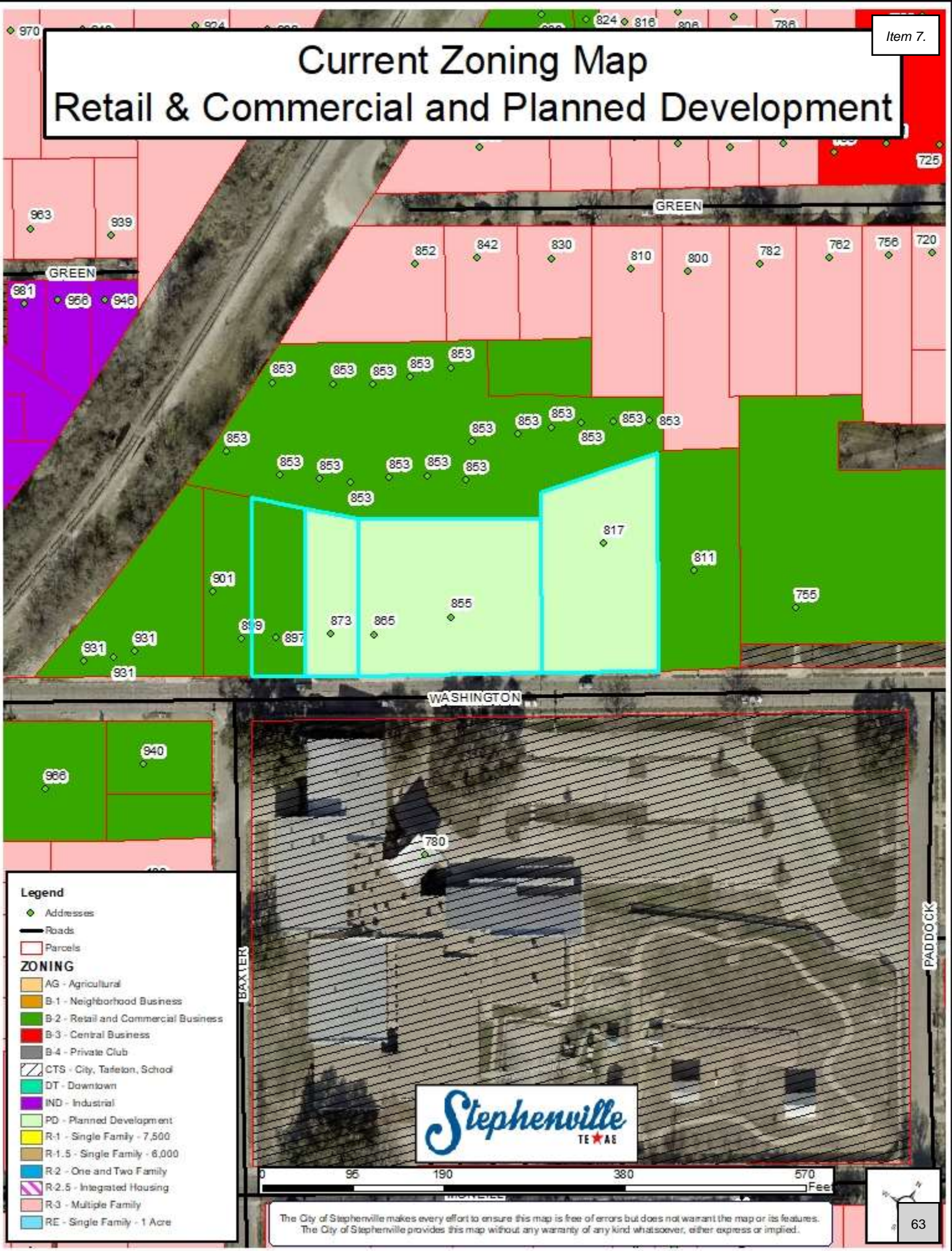
## Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

# Current Zoning Map Retail & Commercial and Planned Development



- Legend**
- ◆ Addresses
  - Roads
  - ▭ Parcels
  - ZONING**
  - AG - Agricultural
  - B-1 - Neighborhood Business
  - B-2 - Retail and Commercial Business
  - B-3 - Central Business
  - B-4 - Private Club
  - CTS - City, Tafelton, School
  - DT - Downtown
  - IND - Industrial
  - PD - Planned Development
  - R-1 - Single Family - 7,500
  - R-1.5 - Single Family - 6,000
  - R-2 - One and Two Family
  - R-2.5 - Integrated Housing
  - R-3 - Multiple Family
  - RE - Single Family - 1 Acre

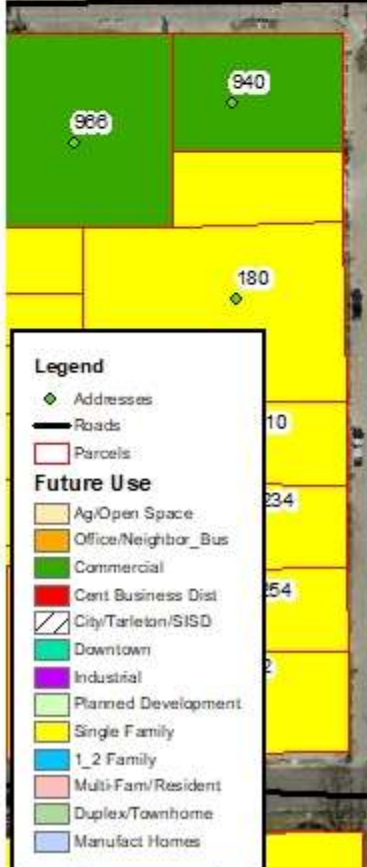
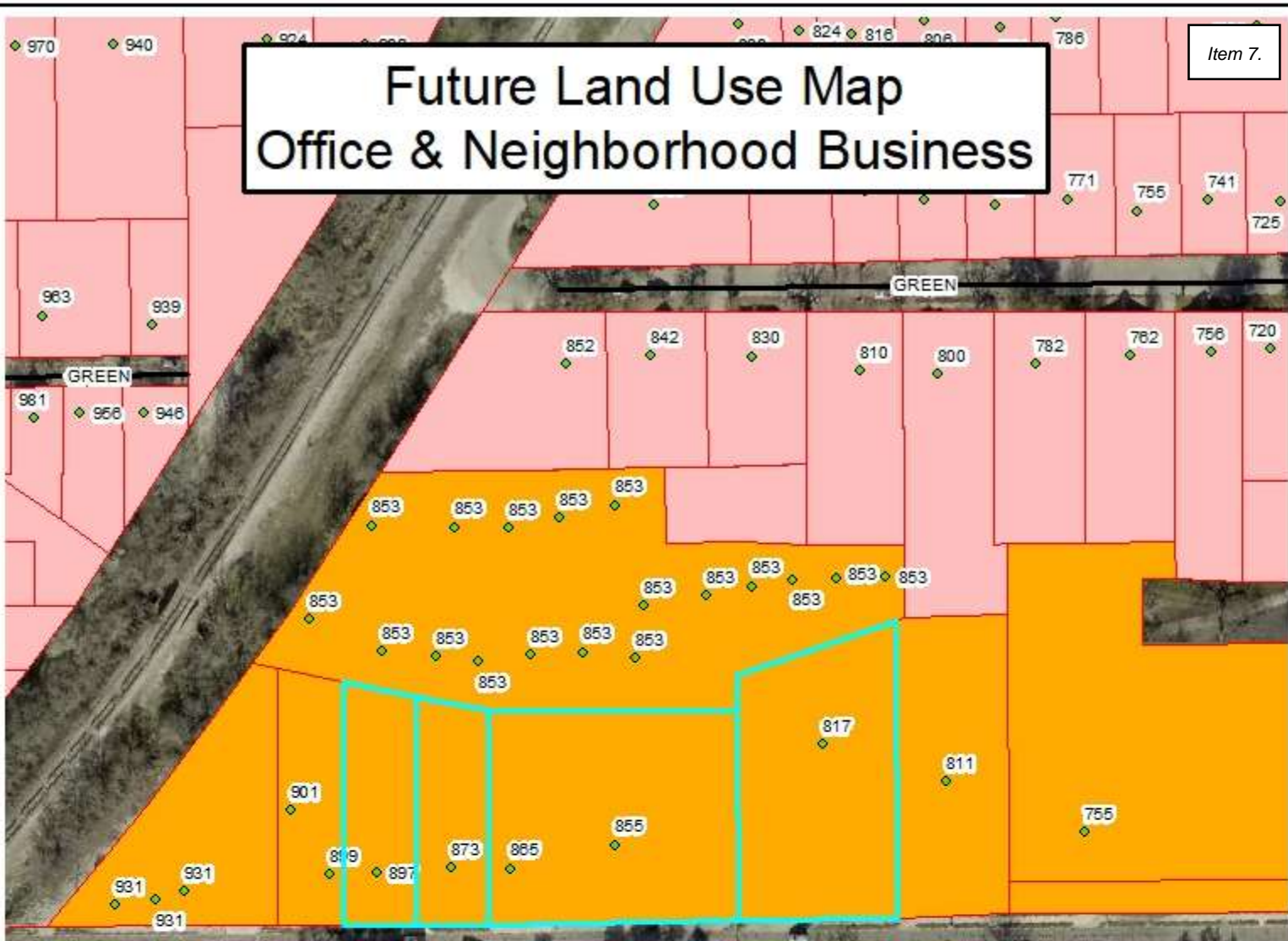


0 95 190 380 570 Feet

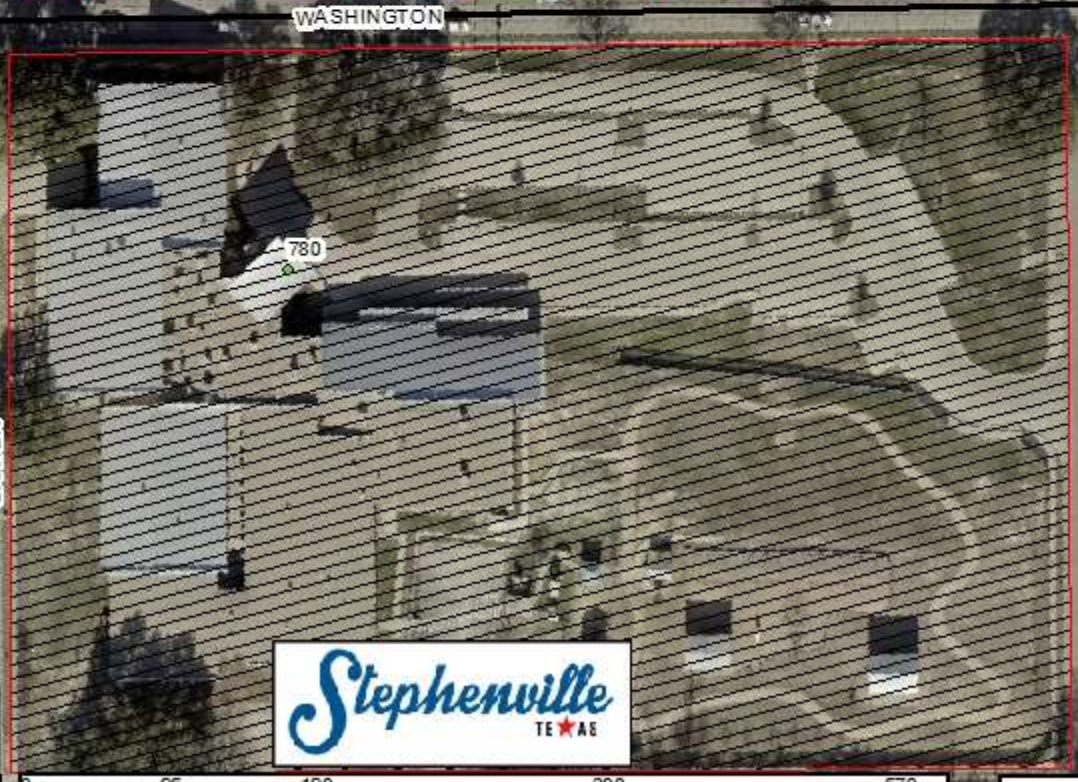
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# Future Land Use Map Office & Neighborhood Business

Item 7.



- Legend**
- ◆ Addresses
  - Roads
  - ▭ Parcels
- Future Use**
- ▭ Ag/Open Space
  - ▭ Office/Neighbor\_Bus
  - ▭ Commercial
  - ▭ Cent Business Dist
  - ▭ City/Tarleton/SISD
  - ▭ Downtown
  - ▭ Industrial
  - ▭ Planned Development
  - ▭ Single Family
  - ▭ 1\_2 Family
  - ▭ Multi-Fam/Resident
  - ▭ Duplex/Townhome
  - ▭ Manufact Homes

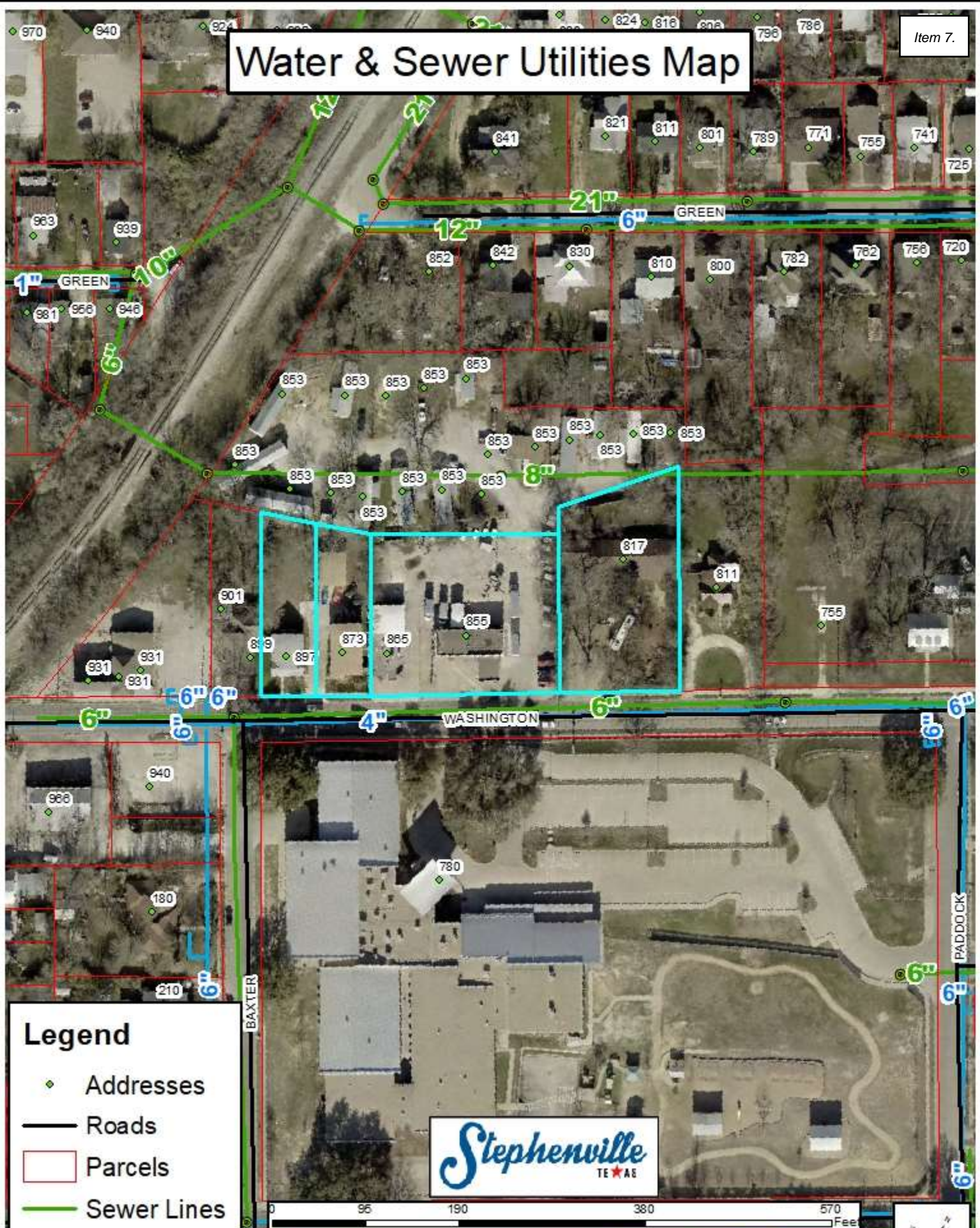


0 95 190 380 570 Feet

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# Water & Sewer Utilities Map

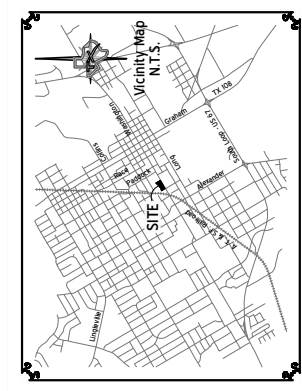


## Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.



**Utility Easements**  
 The owner hereby reserves the right to dedicate to the public use any easements for utility lines, including but not limited to electric, gas, water, sewer, and telecommunications. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities for the installation, maintenance, and operation of these utility lines. The owner shall also be responsible for providing access to these utility lines for inspection, maintenance, and repair. The owner shall not be responsible for any damage to these utility lines or for any costs incurred by the public utility companies in connection with the installation, maintenance, and operation of these utility lines.

**Construction Over Easements**  
 No permanent building or structure shall be constructed over any existing or planned utility easements. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities for the construction of any building or structure over an easement. The owner shall also be responsible for providing access to these utility lines for inspection, maintenance, and repair. The owner shall not be responsible for any damage to these utility lines or for any costs incurred by the public utility companies in connection with the installation, maintenance, and operation of these utility lines.

**Underground Utilities**  
 Underground utilities were not located during this survey. Call 811 and/or utility providers before excavation or construction.

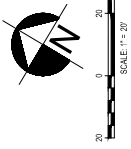
**Flood Hazard Note**  
 This tract appears to be located within Other Area Zone "X", which is determined to be located within the Flood Hazard Overlay District (FHOD) as shown on the Flood Hazard Overlay District Map (FHOD Map) for the City of Stephenville, Texas.

**Special Notice**  
 Selling a portion of this address by metes and bounds is a violation of City Ordinance 100-100-001, which prohibits the sale of real property by metes and bounds without the approval of the City of Stephenville. The City of Stephenville is not responsible for any damage to the property or for any costs incurred by the owner in connection with the sale of real property by metes and bounds.

**Additional Notes**  
 No abstract of title or the commission was provided to this surveyor. Record reasons for this property and of the adjoining parcels. Record documents other than those shown on this survey may exist and encumber this property.  
 Please contact all applicable governing entities regarding rules & regulations, that may affect construction on this property.  
 All corners are set 1/2" iron rods with red plastic caps stamped "TEXAS SURVEYING INC." set on p.c. and "C.T." in concrete unless otherwise noted. Corners will be set upon completion of development and/or construction activities.  
**Lot X Note**  
 All lots denoted with the suffix of "X" are common area and/or green space, except 200.5, 200.6, 200.7, 200.8, 200.9, 201.0, 201.1, 201.2, 201.3, 201.4, 201.5, 201.6, 201.7, 201.8, 201.9, 202.0, 202.1, 202.2, 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.9, 203.0, 203.1, 203.2, 203.3, 203.4, 203.5, 203.6, 203.7, 203.8, 203.9, 204.0, 204.1, 204.2, 204.3, 204.4, 204.5, 204.6, 204.7, 204.8, 204.9, 205.0, 205.1, 205.2, 205.3, 205.4, 205.5, 205.6, 205.7, 205.8, 205.9, 206.0, 206.1, 206.2, 206.3, 206.4, 206.5, 206.6, 206.7, 206.8, 206.9, 207.0, 207.1, 207.2, 207.3, 207.4, 207.5, 207.6, 207.7, 207.8, 207.9, 208.0, 208.1, 208.2, 208.3, 208.4, 208.5, 208.6, 208.7, 208.8, 208.9, 209.0, 209.1, 209.2, 209.3, 209.4, 209.5, 209.6, 209.7, 209.8, 209.9, 210.0, 210.1, 210.2, 210.3, 210.4, 210.5, 210.6, 210.7, 210.8, 210.9, 211.0, 211.1, 211.2, 211.3, 211.4, 211.5, 211.6, 211.7, 211.8, 211.9, 212.0, 212.1, 212.2, 212.3, 212.4, 212.5, 212.6, 212.7, 212.8, 212.9, 213.0, 213.1, 213.2, 213.3, 213.4, 213.5, 213.6, 213.7, 213.8, 213.9, 214.0, 214.1, 214.2, 214.3, 214.4, 214.5, 214.6, 214.7, 214.8, 214.9, 215.0, 215.1, 215.2, 215.3, 215.4, 215.5, 215.6, 215.7, 215.8, 215.9, 216.0, 216.1, 216.2, 216.3, 216.4, 216.5, 216.6, 216.7, 216.8, 216.9, 217.0, 217.1, 217.2, 217.3, 217.4, 217.5, 217.6, 217.7, 217.8, 217.9, 218.0, 218.1, 218.2, 218.3, 218.4, 218.5, 218.6, 218.7, 218.8, 218.9, 219.0, 219.1, 219.2, 219.3, 219.4, 219.5, 219.6, 219.7, 219.8, 219.9, 220.0, 220.1, 220.2, 220.3, 220.4, 220.5, 220.6, 220.7, 220.8, 220.9, 221.0, 221.1, 221.2, 221.3, 221.4, 221.5, 221.6, 221.7, 221.8, 221.9, 222.0, 222.1, 222.2, 222.3, 222.4, 222.5, 222.6, 222.7, 222.8, 222.9, 223.0, 223.1, 223.2, 223.3, 223.4, 223.5, 223.6, 223.7, 223.8, 223.9, 224.0, 224.1, 224.2, 224.3, 224.4, 224.5, 224.6, 224.7, 224.8, 224.9, 225.0, 225.1, 225.2, 225.3, 225.4, 225.5, 225.6, 225.7, 225.8, 225.9, 226.0, 226.1, 226.2, 226.3, 226.4, 226.5, 226.6, 226.7, 226.8, 226.9, 227.0, 227.1, 227.2, 227.3, 227.4, 227.5, 227.6, 227.7, 227.8, 227.9, 228.0, 228.1, 228.2, 228.3, 228.4, 228.5, 228.6, 228.7, 228.8, 228.9, 229.0, 229.1, 229.2, 229.3, 229.4, 229.5, 229.6, 229.7, 229.8, 229.9, 230.0, 230.1, 230.2, 230.3, 230.4, 230.5, 230.6, 230.7, 230.8, 230.9, 231.0, 231.1, 231.2, 231.3, 231.4, 231.5, 231.6, 231.7, 231.8, 231.9, 232.0, 232.1, 232.2, 232.3, 232.4, 232.5, 232.6, 232.7, 232.8, 232.9, 233.0, 233.1, 233.2, 233.3, 233.4, 233.5, 233.6, 233.7, 233.8, 233.9, 234.0, 234.1, 234.2, 234.3, 234.4, 234.5, 234.6, 234.7, 234.8, 234.9, 235.0, 235.1, 235.2, 235.3, 235.4, 235.5, 235.6, 235.7, 235.8, 235.9, 236.0, 236.1, 236.2, 236.3, 236.4, 236.5, 236.6, 236.7, 236.8, 236.9, 237.0, 237.1, 237.2, 237.3, 237.4, 237.5, 237.6, 237.7, 237.8, 237.9, 238.0, 238.1, 238.2, 238.3, 238.4, 238.5, 238.6, 238.7, 238.8, 238.9, 239.0, 239.1, 239.2, 239.3, 239.4, 239.5, 239.6, 239.7, 239.8, 239.9, 240.0, 240.1, 240.2, 240.3, 240.4, 240.5, 240.6, 240.7, 240.8, 240.9, 241.0, 241.1, 241.2, 241.3, 241.4, 241.5, 241.6, 241.7, 241.8, 241.9, 242.0, 242.1, 242.2, 242.3, 242.4, 242.5, 242.6, 242.7, 242.8, 242.9, 243.0, 243.1, 243.2, 243.3, 243.4, 243.5, 243.6, 243.7, 243.8, 243.9, 244.0, 244.1, 244.2, 244.3, 244.4, 244.5, 244.6, 244.7, 244.8, 244.9, 245.0, 245.1, 245.2, 245.3, 245.4, 245.5, 245.6, 245.7, 245.8, 245.9, 246.0, 246.1, 246.2, 246.3, 246.4, 246.5, 246.6, 246.7, 246.8, 246.9, 247.0, 247.1, 247.2, 247.3, 247.4, 247.5, 247.6, 247.7, 247.8, 247.9, 248.0, 248.1, 248.2, 248.3, 248.4, 248.5, 248.6, 248.7, 248.8, 248.9, 249.0, 249.1, 249.2, 249.3, 249.4, 249.5, 249.6, 249.7, 249.8, 249.9, 250.0, 250.1, 250.2, 250.3, 250.4, 250.5, 250.6, 250.7, 250.8, 250.9, 251.0, 251.1, 251.2, 251.3, 251.4, 251.5, 251.6, 251.7, 251.8, 251.9, 252.0, 252.1, 252.2, 252.3, 252.4, 252.5, 252.6, 252.7, 252.8, 252.9, 253.0, 253.1, 253.2, 253.3, 253.4, 253.5, 253.6, 253.7, 253.8, 253.9, 254.0, 254.1, 254.2, 254.3, 254.4, 254.5, 254.6, 254.7, 254.8, 254.9, 255.0, 255.1, 255.2, 255.3, 255.4, 255.5, 255.6, 255.7, 255.8, 255.9, 256.0, 256.1, 256.2, 256.3, 256.4, 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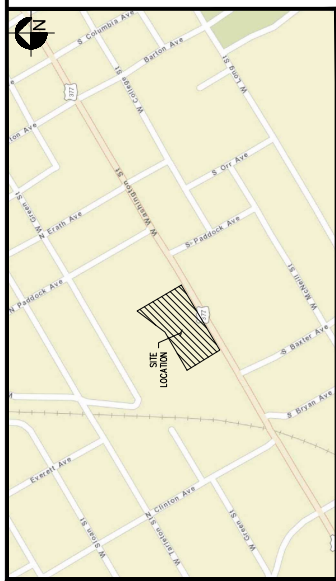


Sheet 10

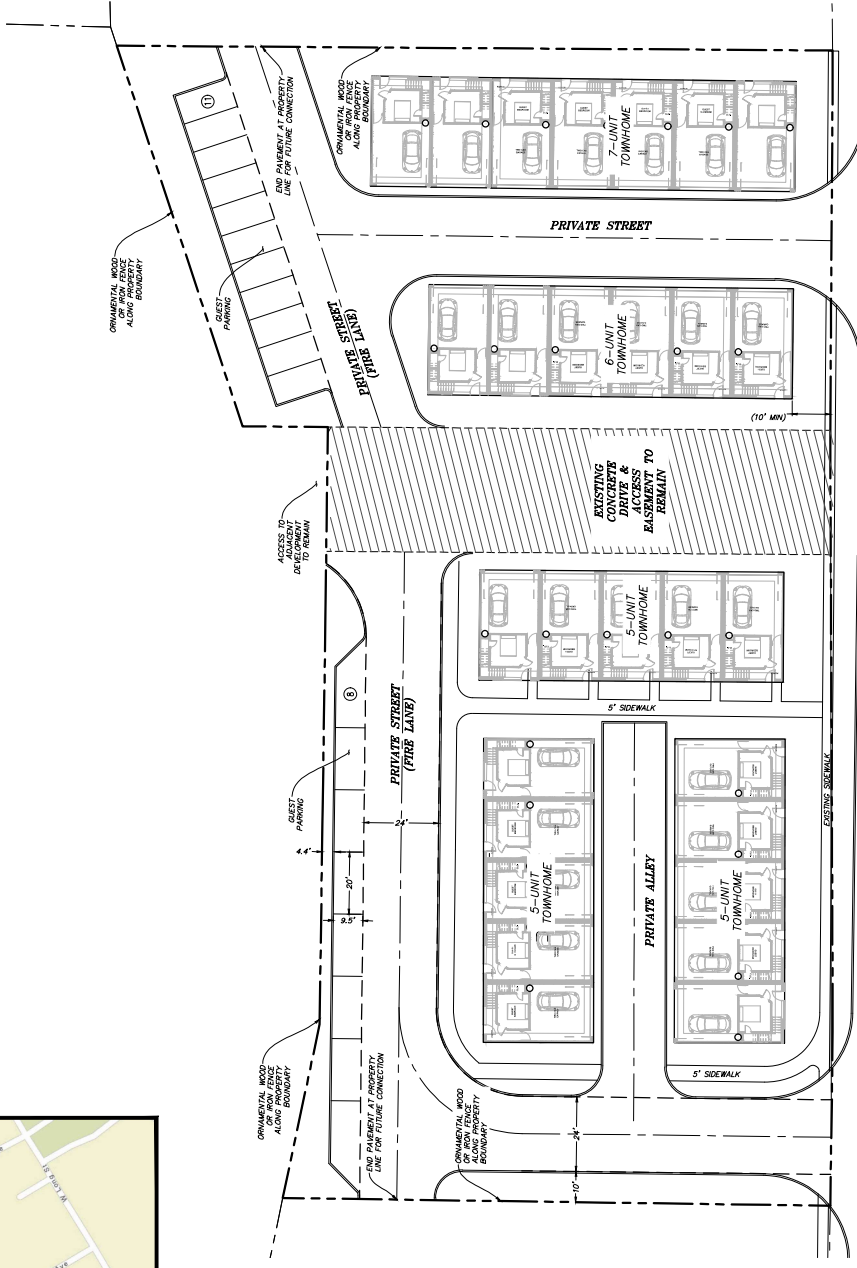


**GENERAL NOTES:**  
ALL DIMENSIONS ARE TO FACE OF CURB WHERE APPLICABLE UNLESS OTHERWISE NOTED.

| SITE DATA TABLE                    |                        |
|------------------------------------|------------------------|
| CURRENT ZONING                     | B-2                    |
| PROPOSED ZONING                    | PD                     |
| TOTAL SITE AREA                    | 66,620 SQ FT / 1.53 AC |
| DENSITY                            | 18.30 U/A              |
| DEVELOPMENT STANDARDS              |                        |
| MINIMUM FLOOR AREA (SF)            | 1,500 SF               |
| MINIMUM LOT AREA (SF)              | 800 SF                 |
| MINIMUM LOT WIDTH                  | 40'                    |
| MINIMUM LOT DEPTH                  | 40'                    |
| MINIMUM REAR SETBACK               | 3'                     |
| MINIMUM INTERIOR SIDE YARD SETBACK | 0'                     |
| MINIMUM EXTERIOR SIDE YARD SETBACK | 5'                     |
| LAND USE SUMMARY                   |                        |
| LOT #                              | 28                     |
| TOWNHOME LOT                       | 3                      |
| OPEN SPACE LOT                     | 6                      |
| PROVIDED PARKING                   |                        |
| RESIDENT PARKING                   | 65                     |
| GUEST PARKING                      | 38                     |
| TOTAL PARKING                      | 75                     |



LOCATION MAP  
KLS



**WASHINGTON ST**

PRELIMINARY SITE PLAN  
WASHINGTON TOWNHOMES  
STEPHENVILLE, TEXAS

Know what's below.  
Call before you dig.  
811  
CALL 3 BUSINESS DAYS IN ADVANCE BEFORE MARKING OF UNDERGROUND MEMBER UTILITIES.



# STAFF REPORT

**SUBJECT:** Case No.: RZ2023-008

Applicant Reece Flanagan of Flanagan Land Solutions, representing Troy Kunkel with Cowtown Properties, is requesting a rezone of property located at 897 W Washington, being Parcel R29579, S2600 CITY ADDITION, BLOCK 62, LOT 2 of the City of Stephenville, Erath County, Texas from (B-2) Retail and Commercial to (PD) Planned Development.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

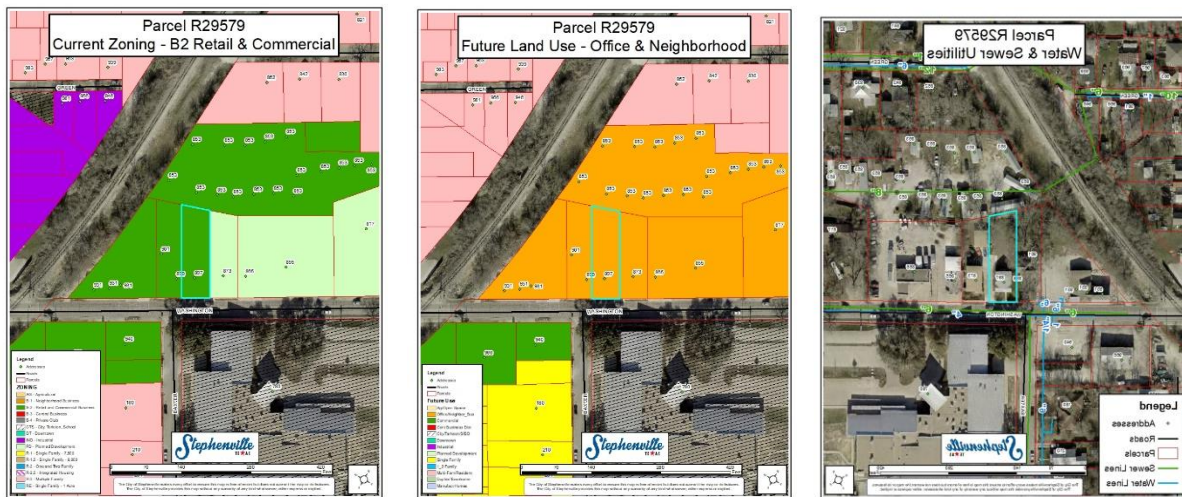
## RECOMMENDATION:

The property has a current zoning of Retail and Commercial (B-2). The Future Land Use for this property is designated as Office and Neighborhood.

## BACKGROUND:

The applicant is requesting a rezone of this property in conjunction with the amended PD for Case No.: PP2023-003. If approved, the parcel will be incorporated into the approved Planned Development and amend City Ordinance No.: 2021-O-42.

## PROPERTY PROFILE:



## Sec. 154.08. Planned development district (PD).

### 8.A Description.

- (1) Planned development districts are designed for greater flexibility and discretion in the application of residential and non-residential zoning and for increased compatibility and the more effective mitigation of potentially adverse impacts on adjacent land than in possible under standard district regulations. It is recognized that it is desirable for certain areas of the city to be developed in accordance with development plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.

- (2) Improvements in the "PD" District are subject to conformance with a development plan approved by the City Council on Planning and Zoning Commission recommendation and after public hearing thereon. No development plan may increase gross density in excess of that allowed by the base district.

**8.B Permitted Uses.** In a PD Development District, no land shall be used and no building shall be installed, erected for/or converted to any use other than a hereinafter provided.

*NON-RESIDENTIAL PLANNED DEVELOPMENTS.* Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Non-residential uses are situated such that an appreciable amount of land is available for open space or joint use as parking space and is integrated throughout the planned development;
- (3) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (4) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional non-residential projects; and
- (5) The project provides a compatible transition between adjacent existing single-family residential projects and provides a compatible transition for the extension of future single-family projects into adjacent undeveloped areas.

*RESIDENTIAL PLANNED DEVELOPMENT.* Considered appropriate where the following conditions prevail:

- (1) The project utilized innovative land development concepts and is consistent with the Comprehensive Land Use plan and the goals and objectives of the city;
- (2) Dwelling units are situated such that an appreciable amount of land for open space is available and is integrated throughout the planned development;
- (3) The project utilizes an innovative approach in lot configuration and mixture of single-family housing types;
- (4) Higher densities than conventional single-family projects of the same acreage is achievable with appropriate buffering between existing conventional single-family developments and increased open space;
- (5) The site exhibits environmentally natural features which should be considered for preservation and/or enhancement;
- (6) Aesthetic amenities may be provided in the planned development design which are not economically feasible to provide in conventional single-family projects; and
- (7) The project provides a compatible transition between adjacent existing conventional single-family residential projects and provides a compatible transition for the extension of future conventional single-family projects into adjacent undeveloped areas.

**8.C Prohibited Uses.**

- (1) Any building erected or land used for other than the use shown on the Planned Development Site Plan, as approved by the City Council.
- (2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimensions; and/or lot width, or exceeds the maximum height, building coverage or density per gross acreage as shown in the development's recorded Planned Development Site Plan, as approved by City Council.
- (3) Any use deemed by the City Council as being detrimental to the health, safety or general welfare of the citizens of Stephenville.

**8.D Ownership.** An application for approval of a Planned Development Plan under the Planned Development District regulations may be filed by a person having legal ownership of the property to be included in the Development Plan. In order to ensure unified planning and development of the property, the applicant shall provide evidence, in form satisfactory to the City Attorney, prior to final approval of the Development Plan, that the property is held in single ownership or is under single control. Land shall be deemed to be held in single ownership or under single control if it is in joint tenancy, tenancy in common, a partnership, a trust or a joint venture. The Development Plan shall be filed in the name(s) of the record owner(s) of the property, which shall be included in the application.

### 8.E Development Schedule.

- (1) An application for a Planned Development District shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, adopted and approved by the City Council, shall become part of the Planned Development Ordinance and shall be adhered to by the owner, developer and their assigns or successors in interest.
- (2) Annually, upon the anniversary date, or more frequently if required, the developer shall provide a written report to the Planning and Zoning Commission concerning the actual development accomplished as compared with the development schedule.
- (3) The Planning and Zoning Commission may, if in its opinion the owner or owners of the property are failing or have failed to meet the approved development schedule, initiate proceedings to amend the Official Zoning map or the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. After the recommendation of the Planning and Zoning Commission and for good cause shown by the owner and developer, the City Council may extend the development schedule as may be indicated by the facts and conditions of the case.

**8.F Plat Requirements.** No application for a building permit for the construction of a building or structure shall be approved unless a plat, meeting all requirements of the City of Stephenville has been approved by the City Council and recorded in the official records of Erath County.

**8.G Concept Plan.** The applicant for any PD Planned Development shall submit a concept plan to the Planning and Zoning Commission for review prior to submitting a Development Plan. The concept plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

**8.H Development Plan Approval Required.** No building permit or certificate of occupancy shall be issued and no use of land, buildings or structures shall be made in the "PD" District until the same has been approved as part of a development plan in compliance with the procedures, terms and conditions of this section of the ordinance.

### 8.I Approval Procedures.

- (1) An application for development plan approval shall be filed with the Director of Community Development accompanied by a development plan.
- (2) The procedures for hearing a request for a zoning change to "PD" shall be the same as for a requested change to any other district as set forth Section 20 of the Zoning Ordinance.
- (3) Any substantive revision to a development plan between the public hearing before the Planning and Zoning Commission and the public hearing before the City Council shall necessitate the development plan being referred back to the Planning and Zoning Commission for review and evaluation unless the revision constitutes a minor change as provided below, or the change was a condition of the approval.
- (4) Any revisions to the development plan after the public hearing before the City Council shall be submitted to the Director of Community Development for distribution, review and written evaluation by city staff prior to submission to and approved by the City Council.
- (5) Minor changes to an approved development plan, which will not cause any of the following circumstances to occur, may be authorized by the Director of Community Development or his or her designee:
  - (a) A change in the character of the development;
  - (b) An increase in the gross floor areas in structures;
  - (c) An increase in the intensity of use;
  - (d) A reduction in the originally approved separations between buildings;
  - (e) Any adverse changes in traffic circulation, safety, drainage and utilities;
  - (f) Any adverse changes in such external effects on adjacent property as noise, heat, light, glare, vibration, height scale or proximity;
  - (g) A reduction in the originally approved setbacks from property lines;

- (h) An increase in ground coverage by structures;
  - (i) A reduction in the ratio of off-street parking and loading space; and
  - (j) A change in the size, height, lighting or orientation of originally approved signs.
- (6) The decision of the Director of Community Development or his or her designee as to whether minor changes are being requested may be appealed to the Planning and Zoning Commission. Any change deemed not to be minor change, as indicated above, shall be processed as a new application in accordance with the provisions of this section and Section 20.1 of the Zoning Ordinance.

**8.J Development Plan Requirements.** The development plan submitted in support of a request for development plan approval shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities and what protection features are included to insure that the development will be compatible with existing and allowable development on adjacent property. The development plan shall show at least the following items of information:

- (1) The location of all existing and planned non-single-family structures on the subject property;
- (2) Landscaping lighting and/or fencing and/or screening of common areas;
- (3) General locations of existing tree clusters, providing average size and number and indication of species;
- (4) Location and detail of perimeter fencing if applicable;
- (5) General description/location of ingress and egress with description of special pavement treatment if proposed;
- (6) Off-street parking and loading facilities, and calculations showing how the quantities were obtained for all non single-family purposes;
- (7) Height of all non-single-family structures;
- (8) Proposed uses;
- (9) Location and description of subdivision signage and landscaping at entrance areas;
- (10) Street names on proposed streets;
- (11) Proposed minimum area regulations including, set-backs, lot-sizes, widths, depths, side-yards, square footage or residential structures;
- (12) Indication of all development phasing and platting limits; and
- (13) Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.

**8.K Conditions for Development Plan Approval.**

- (1) A development plan shall be approved only if all of the following conditions have been found during the review and process:
  - (a) That the uses will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values with the immediate vicinity;
  - (b) That the establishment of the use or uses will not impede the normal and orderly development and improvements of surrounding vacant property;
  - (c) That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
  - (d) That the design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
  - (e) That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
  - (f) That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.



- (2) In approving a development plan, the City Council may impose additional conditions necessary to protect the public interest and welfare of the community.

**8.L Additional Conditions.** Every Planned Development District approved under the provisions of this Ordinance shall be considered as an amendment to the Ordinance as applicable to the property involved. In an approved Planned Development District, the City Council may impose conditions relative to the standard of development, and such conditions shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the Planned Development District; and such condition shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy.

**8.M Revocation.**

- (1) Approval of a development plan may be revoked or modified, after notice and hearing, for either of the following reasons:
- (a) Approval was obtained or extended by fraud or deception; or
  - (b) That one or more of the conditions imposed by the City Council on the development plan has not been met or has been violated.
- (2) Development controls:
- (a) The City Council may impose more restrictive requirements than those proposed in the development plan in order to minimize incompatibilities;
  - (b) A "PD" District shall have a minimum lot area of not less than one acre under unified control;
  - (c) The parking requirements of the Zoning Ordinance shall apply to all uses in the "PD" District unless otherwise specified on the development plan; and
  - (d) "PD" provisions may vary setbacks with approval.

**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 property 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 approve.

**ALTERNATIVES:**

- 1) Recommend the City Council approve the rezoning request.
- 2) Recommend the City Council deny the rezoning request.



# Parcel R29579

## Current Zoning - B2 Retail & Commercial

Item 8.



**Legend**

- ◆ Addresses
- Roads
- ▭ Parcels

**ZONING**

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tarleton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

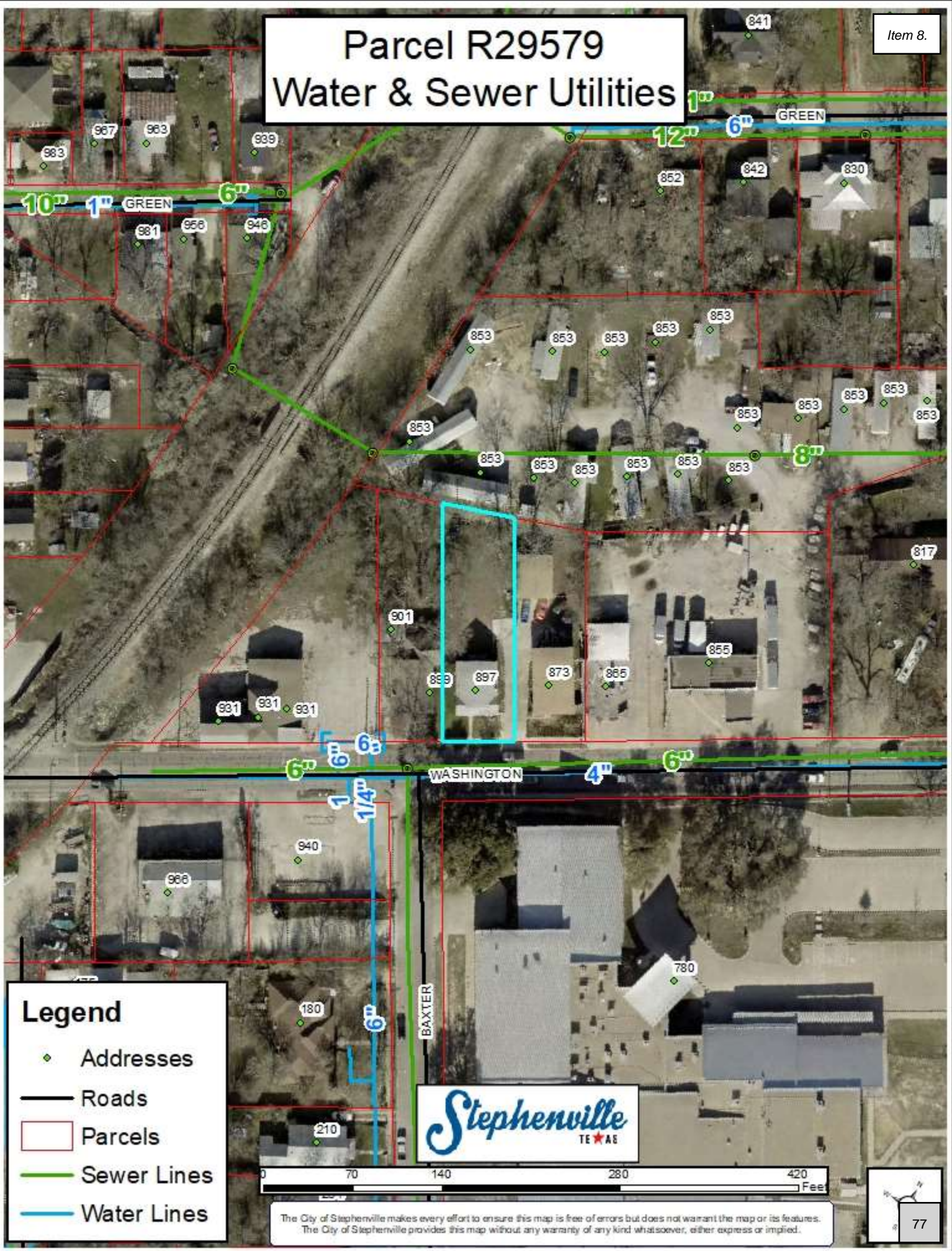


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.



# Parcel R29579 Water & Sewer Utilities

Item 8.



## Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

## Parcel R29579 200 ft Buffer Addresses

| Parcel ID  | Parcel Address           | Parcel Owner                             | Owner Address               | City         | State | Zip Code   |
|------------|--------------------------|------------------------------------------|-----------------------------|--------------|-------|------------|
| R000029580 | 873 W WASHINGTON         | 598 WESTWOOD LLC                         | PO BOX 12324                | FORT WORTH   | TX    | 76110      |
| R000029581 | 855 W WASHINGTON         | 598 WESTWOOD LLC                         | PO BOX 12324                | FORT WORTH   | TX    | 76110      |
| R000029579 | 897 W WASHINGTON         | COWTOWN PROPERTIES LLC                   | 3745 BELLAIRE DR SOUTH      | FORT WORTH   | TX    | 76109      |
| R000014966 | 0 N PADDOCK & VANDERBILT | FORT WORTH & WESTERN RAILROAD            | 6300 RIDGLEA PLACE STE 1200 | FORT WORTH   | TX    | 76116-5738 |
| R000030924 | 180 BAXTER               | GARNER MARK E & CAROLYN F                | 180 S BAXTER ST             | STEPHENVILLE | TX    | 76401-4804 |
| R000067212 | 0 BAXTER AVE             | MASCORRO VENIGNO                         | 1090 NORTH RACE             | STEPHENVILLE | TX    | 76401      |
| R000030947 | 940 W WASHINGTON         | MASCORRO VENIGNO                         | 1090 NORTH RACE             | STEPHENVILLE | TX    | 76401      |
| R000030946 | 966 W WASHINGTON         | MASCORRO VENIGNO                         | 1090 NORTH RACE             | STEPHENVILLE | TX    | 76401      |
| R000032755 | 852 W GREEN              | PACK CHANCE L & KANDICE R ACKERMANN-PACK | 2995 S US281                | STEPHENVILLE | TX    | 76401      |
| R000029578 | 853 W WASHINGTON         | SAUCEDO CESAR & JANA                     | PO BOX 1737                 | STEPHENVILLE | TX    | 76401-0017 |
| R000029585 | 931 W WASHINGTON         | SONNAMAKER WESLEY W                      | PO BOX 123947               | FORT WORTH   | TX    | 76121      |
| R000068117 | 780 W WASHINGTON         | STEPHENVILLE ISD                         | 2655 W OVERHILL DR          | STEPHENVILLE | TX    | 76401-0000 |
| R000029577 | 899 W WASHINGTON         | THE DYLAN AND CHLOE TEAM, LLC            | 899 W WASHINGTON            | STEPHENVILLE | TX    | 76401      |

Utility Easements

The streets and easements shown thereon are hereby dedicated to the Public use forever. The streets are dedicated for street purposes. The easements, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same. Any, and all public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and/or for any maintenance and service required or ordinarily performed by that utility. The easements dedicated are for the specific use of installing and maintaining water, sewer, electrical, natural gas, telephone, fiber or cablevision lines, and are not intended to be used for garbage dumpsters, the collection of garbage, or for the use of garbage vehicles in any manner.

Construction Over Easements

No permanent buildings or structures shall be constructed over any existing or platted water, sanitary sewer, gas, electric, cable or other utility easement of any type.

Underground Utilities

Underground utilities were not located during this survey. Call 811 and/or Utility Providers before excavation or construction.

Flood Hazard Note

This tract appears to be located within Other Areas. Zone "X" - areas determined to be located outside of the 0.2% Annual Chance Flood Plain, according to the F.I.R.M. Community Panel 48143C04300, dated November 16, 2011.

Special Notice

Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and is subject to fines, withholding of utilities, and/or building permits.

Additional Notes

No abstract of title or title commitment was provided to this surveyor. Record research performed by this surveyor was made only for the purpose of determining the boundary of this property and of the adjoining parcels. Record documents other than those shown on this survey may exist and encumber this property.

Please consult all applicable governing entities regarding rules & regulations, that may affect construction on this property.

All corners are set 1/2" iron rods with red plastic caps stamped "TEXAS SURVEYING INC", set p.k. nail, or cut "X" in concrete, unless otherwise noted. Corners will be set upon completion of development and/or construction activities.

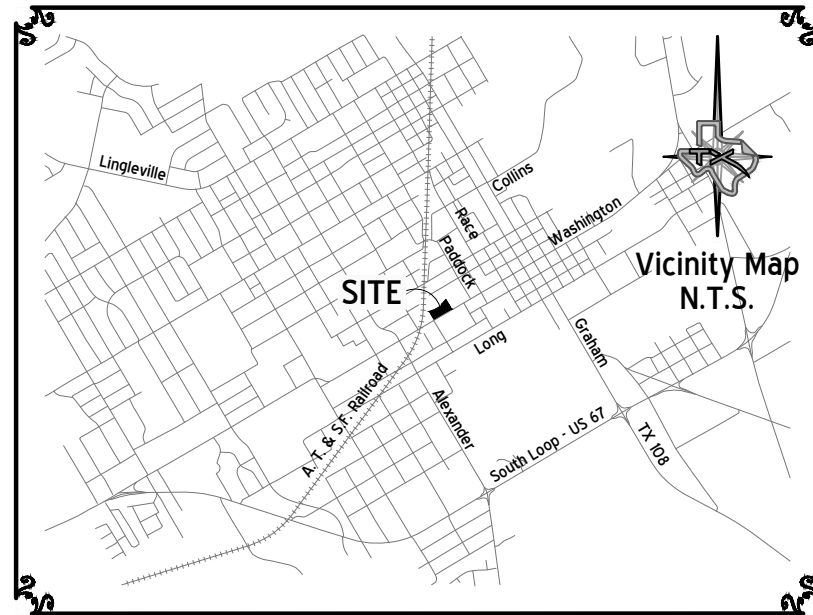
Lot X Note

All lots denoted with the suffix of "X" are common areas and/or green spaces, except Lot 25X & Lot 28X are private access, utility, & private drainage easements and Lot 26X is a 40' shared access & utility easement.

The City of Stephenville will never accept or maintain the roads and/or common areas shown hereon. Additionally, the City will not be responsible for providing enforcement of traffic control within this subdivision.

Notice to grantee(s) that all roads and/or common areas are private, the property owners shall be perpetually liable for maintenance and that the roads and/or common areas shall be maintained in such a standard which will not affect access by public service agencies such as police, fire and emergency medical services.

The City of Stephenville will never be responsible to maintain or repair the private water and/or sewer utilities within this subdivision and the property owners shall be perpetually liable for maintenance of said systems.

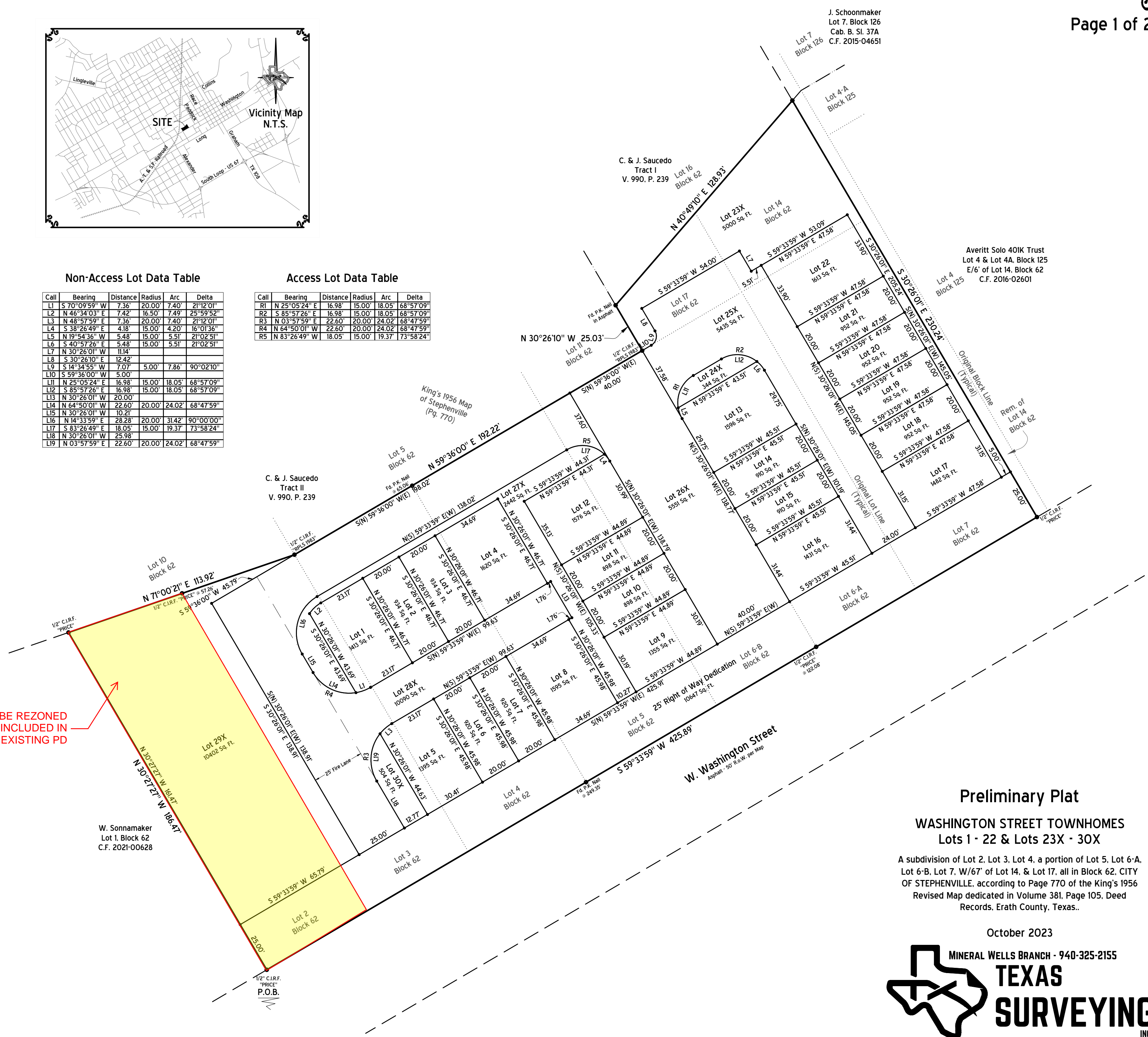


Non-Access Lot Data Table

Table with 6 columns: Call, Bearing, Distance, Radius, Arc, Delta. Lists data for lots L1 through L19.

Access Lot Data Table

Table with 6 columns: Call, Bearing, Distance, Radius, Arc, Delta. Lists data for lots R1 through R5.

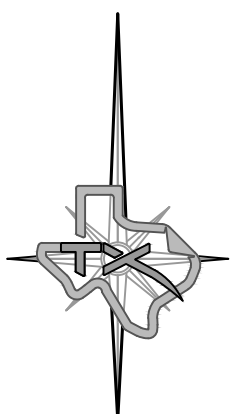


Surveyor: Texas Surveying, Inc. Mineral Wells Branch 112 S.E. 1st Street Mineral Wells, TX 76067 940-325-2155 Firm No. 10194121

W. Sonnamaker Lot 1, Block 62 C.F. 2021-00628

Owner: Cowtown Properties, LLC 3745 S. Bellaire Drive S. Fort Worth, TX 76109

Owner: 598 Westwood, LLC P.O. Box 1573 Stephenville, TX 76401

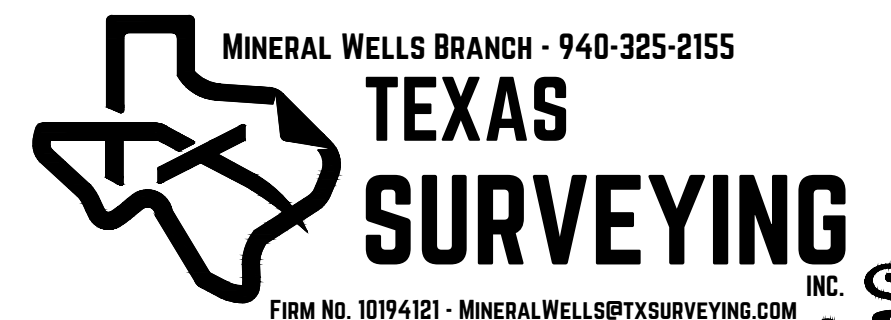


Preliminary Plat

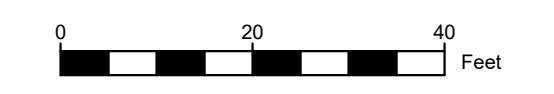
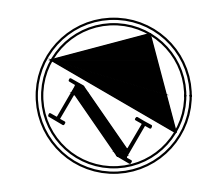
WASHINGTON STREET TOWNHOMES Lots 1 - 22 & Lots 23X - 30X

A subdivision of Lot 2, Lot 3, Lot 4, a portion of Lot 5, Lot 6-A, Lot 6-B, Lot 7, W/67' of Lot 14, & Lot 17, all in Block 62, CITY OF STEPHENVILLE, according to Page 770 of the King's 1956 Revised Map dedicated in Volume 381, Page 105, Deed Records, Erath County, Texas..

October 2023



PLEASE RECYCLE



LEGEND

- 25' R.O.W. DEDICATION
- PROPOSED FIRELANE
- F.H. PROPOSED FIRE HYDRANT
- WM PROPOSED WATER METER
- WV PROPOSED WATER VALVE
- CO PROPOSED SEWER SINGLE CLEANOUT
- SSMH PROPOSED SEWER MANHOLE
- G.I. PROPOSED GRATE INLET
- J.B. PROPOSED JUNCTION BOX
- C.I. PROPOSED CURB INLET
- STMH STORM SEWER MANHOLE
- GM GAS METER
- D.E. DRAINAGE EASEMENT
- W.E. WATER EASEMENT

GENERAL NOTES:

1. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO COMMENCING ANY CONSTRUCTION. NOTIFY ENGINEER OF ANY CONFLICTS OR DISCREPANCIES.
3. REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING AND DUMPSTER LAYOUT AND DESIGN.
4. FIRE LANE MARKINGS SHALL CONSIST OF 4" SOLID RED STRIPE.
5. FIRE LANES SHALL BE PROPERLY MARKED WITH A SIX INCH RED STRIPE WITH FOUR INCH WHITE LETTERS STATING "FIRE LANE NO PARKING" EVERY TWENTY-FIVE FEET ALONG THE ENTIRE LENGTH OF THE FIRE LANE. FIRE LANE MARKINGS SHALL BE ON THE VERTICAL SURFACE OF THE CURB WHEN A CURB IS PRESENT.
6. PARKING STALL LINE SHALL BE A 4" SOLID WHITE STRIPE.
7. ALL PROPOSED SIGNAGE ON THE BUILDING WALLS AND SITE MUST COMPLY WITH UDDC ARTICLE 8 SIGN STANDARDS AND PERMITTING.
8. ANY ALTERATION TO THE SITE PLAN, INCLUDING BUILDING ELEVATION AND LANDSCAPE SUBSTITUTIONS, REQUIRE CITY APPROVAL THROUGH A REVISED PLAN, STAMPED BY STAFF.

ADA NOTES:

- CONTRACTOR TO ASSURE SITE ADA ACCESS AREAS AND ROUTES WITHIN:
- a. ASSURE THE RUNNING SLOPE AT THE WALKS ALONG THE ACCESSIBLE ROUTE HAVE A RUNNING SLOPE OF 1:20 OR 5% MAXIMUM (EXCEPT AT THE CURB RAMPS, WHICH CAN BE UP TO 1:12 OR 8.33%) AND A CROSS SLOPE OF 1:48 OR 2% MAXIMUM. THIS INCLUDES AT THE CROSSING OF DRIVE LANES (A COMMON ISSUE).
  - b. ASSURE THE MANEUVERING CLEARANCE AT THE EXTERIOR SIDE OF ALL ENTRY DOORS HAVE A SLOPE OF 1:48 OR 2% MAXIMUM IN ANY DIRECTION.
  - c. ASSURE A 30" X48" CLEAR FLOOR SPACE IS PROVIDED ADJACENT TO THE EXTERIOR SITE ELEMENTS SUCH AS THE BENCHES, TRASH CANS AND BIKE RACKS AND HAVE A SLOPE OF 1:48 OR 2% MAXIMUM IN ANY DIRECTION.

BENCHMARK

BM-1: C.I.R.S. "TEXAS SURVEYING INC" ELEVATION=1281.21 REFER TO SURVEY SHEET C1

TBM-2: SET PK NAIL IN CONCRETE ELEVATION=1285.67 REFER TO SURVEY SHEET C1

**PRELIMINARY  
-FOR REVIEW ONLY-**

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:

REECE FLANAGAN 129781  
TYPE OR PRINT NAME FE #  
10/16/2023 DATE

**WASHINGTON STREET TOWNHOMES**  
BLK 62 & LOTS 3, 4, PT. 5, 6-A, 6B, 7, PT. 14, AND 17  
CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS

LAYOUT AND DIMENSIONAL CONTROL PLAN

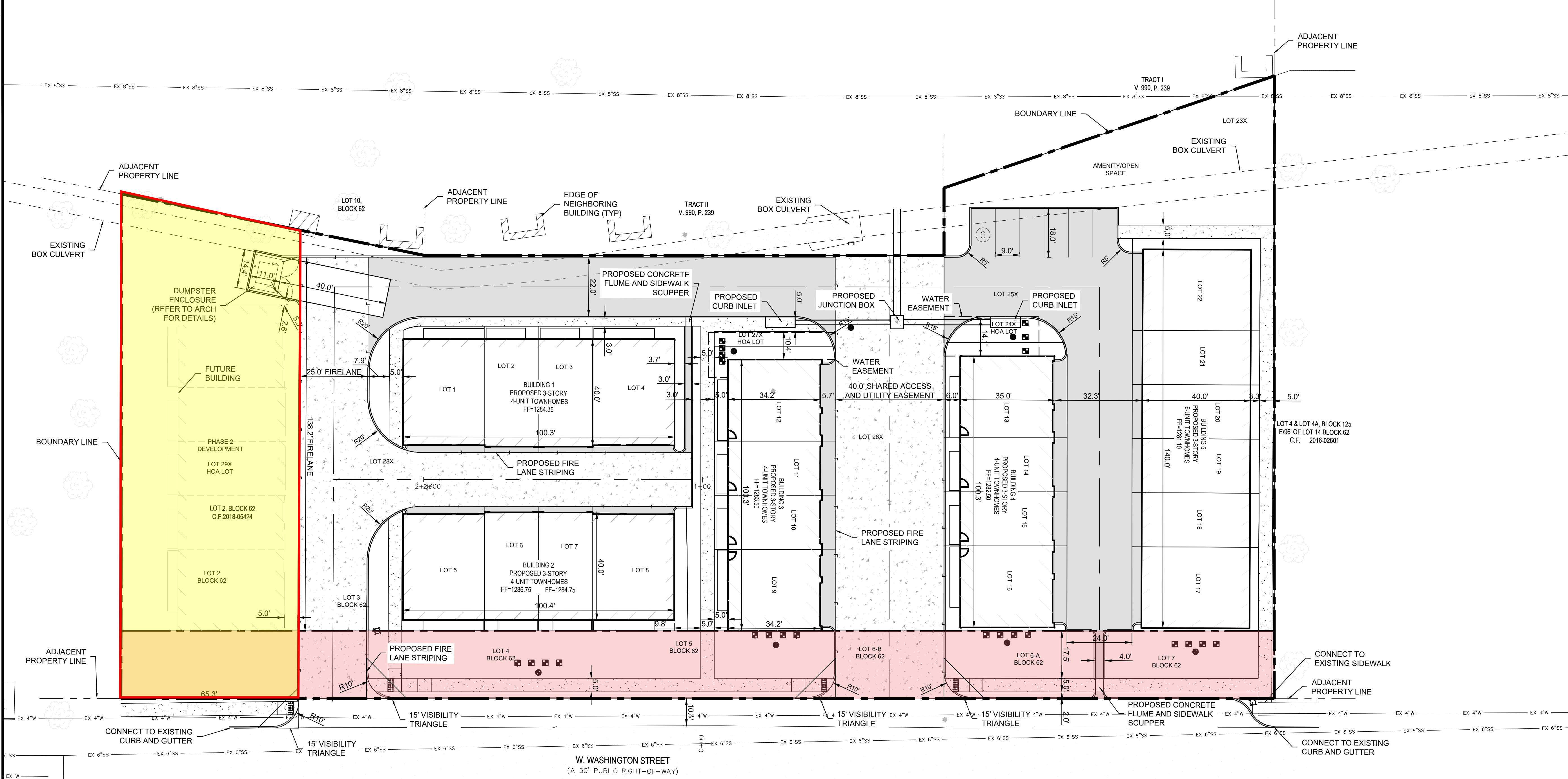
4447 N. CENTRAL EXPRESSWAY  
SUITE 110, BOX 123  
DALLAS, TEXAS 75205  
PHONE #: (940) 327-7963  
FIRM NO. 22910

|               |                    |                       |           |
|---------------|--------------------|-----------------------|-----------|
| DESIGNED: FLS | DATE: OCTOBER 2023 | PROJECT #: 2021-03-02 | SHEET: C7 |
| DRAWN: CEJ    | REVIEWER: MRF      |                       |           |

WASHINGTON STREET TOWNHOMES

SITE DATA TABLE

| GENERAL SITE INFO                                                                                 |                                               | SITE DATA TABLE       |            |
|---------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------|------------|
| CURRENT ZONING                                                                                    | PD - PLANNED DEVELOPMENT (TOWNHOUSE LAND USE) |                       |            |
| TOTAL SITE AREA                                                                                   | 76,685 S.F. / 1.76 AC                         |                       |            |
| TOTAL SITE AREA AFTER ROW DEDICATION                                                              | 66,025 S.F. / 1.52 AC                         |                       |            |
| UNITS                                                                                             | 22                                            |                       |            |
| DENSITY                                                                                           | 14.47 DU/AC (16 DU/AC ALLOWED MAXIMUM PER PD) |                       |            |
| <b>PARKING DATA</b>                                                                               |                                               | REQUIRED              | PROVIDED   |
| PARKING SPACES (TOTAL)                                                                            | 46 = 2 SPACES/UNIT                            | 60 = 2.72 SPACES/UNIT |            |
| RESIDENT PARKING                                                                                  |                                               | 54                    |            |
| GUEST PARKING                                                                                     |                                               | 6                     |            |
| ***EACH UNIT HAS A 2-CAR (TYPE C) OR 3-CAR (TYPE D) GARAGE CONNECTING TO A SHARED ACCESS DRIVE*** |                                               |                       |            |
| <b>SITE SETBACKS AND LOT SIZE</b>                                                                 |                                               | REQUIRED              | PROVIDED   |
| FRONT SETBACK                                                                                     |                                               | 3' (MIN.)             | 3' (MIN.)  |
| REAR SETBACK                                                                                      |                                               | 3'                    | 5'         |
| INTERNAL SIDE SETBACK                                                                             |                                               | 5'                    | 5' (MIN.)  |
| MINIMUM LOT AREA                                                                                  |                                               | 800 S.F.              | 840 S.F.   |
| MINIMUM LOT WIDTH                                                                                 |                                               | 20'                   | 20' (MIN.) |
| MINIMUM LOT DEPTH                                                                                 |                                               | 40'                   | 42.80'     |



2021-03-02-C-DIM-10/16/2023 4:20 PM  
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