



## SPECIALY CALLED PLANNING AND ZONING COMMISSION MEETING

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City Hall Council Chambers, 298 W. Washington  
Tuesday, September 03, 2024 at 5:30 PM

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### AGENDA

#### CALL TO ORDER

#### PUBLIC HEARING

**1. CASE NO.: FP2024-003**

Applicant Ryan Spears with GMcivil, Representing SID Partners, LLC, is Requesting Approval of a Final Plat for Property Located on N US 281, Parcel R26347, approximately 10 acres located North of 1350 N US HWY 281 and South of 1800 N US HWY 281, being part of A0804 WILLIAMS MR: to the City of Stephenville, Erath County, Texas

#### 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.*



# STAFF REPORT

**SUBJECT:** Case No.: FP2024-003

Applicant Ryan Spears with GMcivil, representing SID Partners, LLC, is requesting approval of a Final Plat for property located on N US 281, Parcel R26347. This property is approximately 10 acres located North of 1350 N US HWY 281 and South of 1800 N US HWY 281, being part of A0804 WILLIAMS MR, to the City of Stephenville, Erath County, Texas.

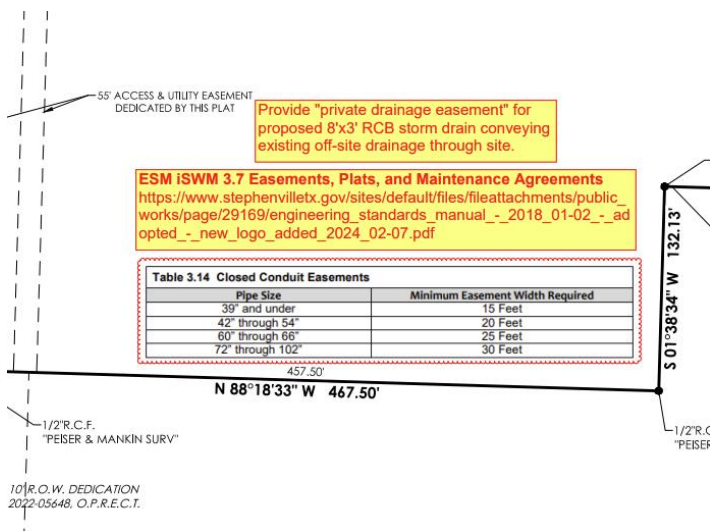
**DEPARTMENT:** Development Services

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

**RECOMMENDATION:**

The Planning and Zoning Commission approved a Preliminary Plat with Conditions on July 17, 2024. A Final Plat is now being submitted and staff requests 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:

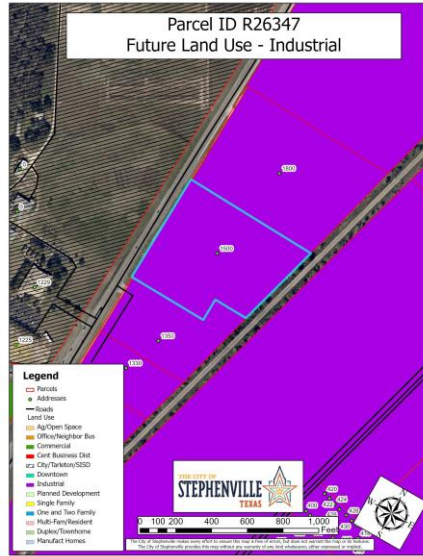
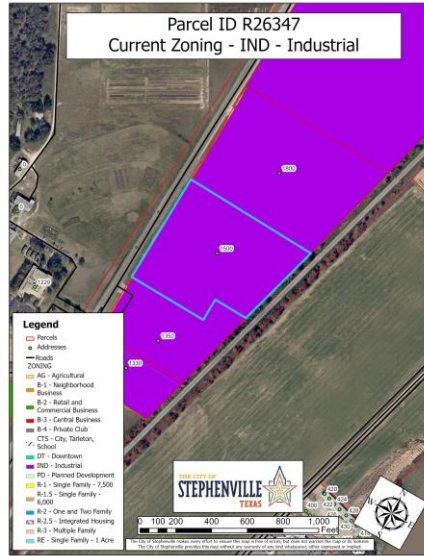
1. Obtain final approval of Civil Construction Plans.
2. Public and drainage Improvements must conform with construction plans and be accepted by the city or a surety/developer’s agreement provided.
3. Structures may not be placed over easements.
4. A Title Commitment/Proof of Ownership must be provided and approved by the City Attorney.
5. Add a signature box for County Clerk.
6. Correct spelling of Atwood’s in owner certification.
7. Verify the following comment was addressed from Preliminary Plat review:



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

**BACKGROUND:**

**PROPERTY PROFILE:**



**Complete Neighborhood**

The Complete Neighborhood land use accommodates a mix of uses at a moderate density. A mix of housing types is encouraged to accommodate a range of residents. Local retail and service businesses are located on active corridors and parks and green spaces are integrated within the district.

**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.

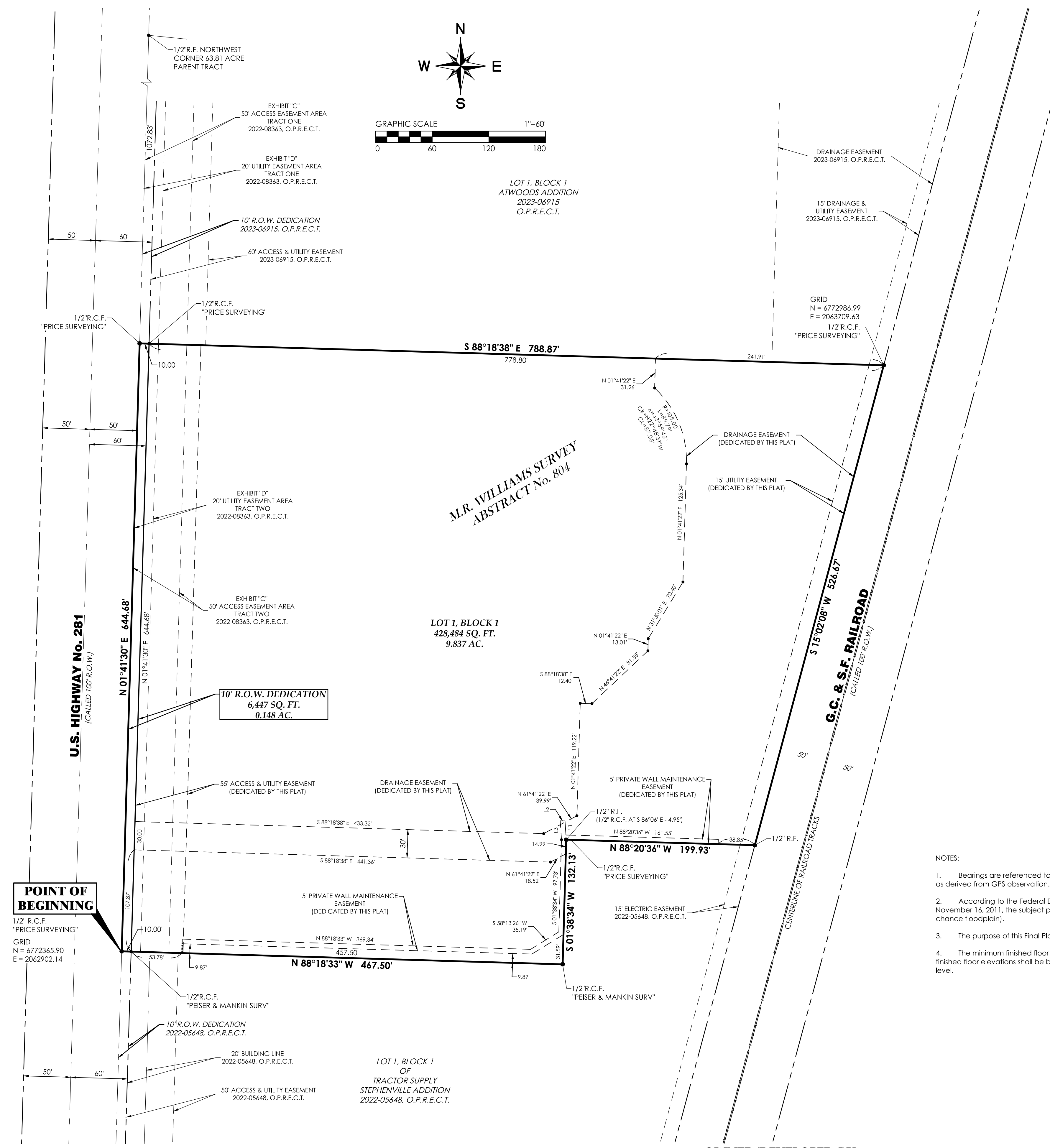
#### **FACTORS TO CONSIDER:**

- 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) 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





VICINITY MAP  
N.T.S.

LEGEND	
R.O.W.	RIGHT OF WAY
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS, ERATH COUNTY, TEXAS
R.F.	REBAR FOUND
R.C.F.	REBAR WITH CAP FOUND

OWNER'S CERTIFICATE

STATE OF TEXAS;  
COUNTY OF ERATH;

WHEREAS SID Partners, LLC is the owner of a tract of land situated in the M.R. Williams Survey, Abstract No. 804, City of Stephenville, Erath County, Texas, being a portion of that tract of land as described in deed to SID Partners, LLC, recorded in 2022-00233, Official Public Records, Erath County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" rebar capped PRICE SURVEYING found in the east line of U.S. Highway No. 281 (called 100' R.O.W.) and the west line of said SID Partners tract, being the most westerly northwest corner of the final plat of Tractor Supply Stephenville Addition, an addition to the City of Stephenville, Erath County, Texas as recorded in 2022-05648, OPRECT;

THENCE North 01 degrees 41 minutes 30 seconds East, along the east line of said U.S. Highway No. 281 and the west line of said SID Partners tract, a distance of 444.68 feet to a 1/2" rebar capped PRICE SURVEYING found at the southwest corner of the final plat of Atwoods Addition, an addition to the City of Stephenville, Erath County, Texas as recorded in 2023-06195, OPRECT;

THENCE South 88 degrees 18 minutes 38 seconds East, departing the east line of said U.S. Highway No. 281, along the south line of said Atwoods Addition, at a distance of 10.0 feet passing a 1/2" rebar capped PRICE SURVEYING found at the southwest corner of Lot 1, Block 1 of said Atwoods Addition, continuing a total distance of 788.87 feet (plat 788.80 feet) to a 1/2" rebar capped PRICE SURVEYING found in the west line of the G.C. & S.F. Railroad Right of Way and the east line of said SID Partners tract, being the southeast corner of said Atwood Addition;

THENCE South 15 degrees 02 minutes 08 seconds West, along the west line of said G.C. & S.F. Railroad Right of Way and the east line of said SID Partners tract, a distance of 526.67 feet to a 1/2" rebar found at the northeast corner of said Tractor Supply Stephenville Addition, as follows:

THENCE departing the west line of said G.C. & S.F. Railroad Right of Way, along the north line of said Tractor Supply Stephenville Addition, as follows:

North 88 degrees 20 minutes 36 seconds West, a distance of 199.93 feet (plat 200.00 feet) to a 1/2" rebar found, from which a 1/2" rebar capped PRICE SURVEYING found bears South 86 degrees 06 minutes East, 4.95 feet;

South 01 degrees 38 minutes 34 seconds West, a distance of 132.13 feet (plat 132.00 feet) to a 1/2" rebar capped PEISER & MANKIN SURV found;

North 88 degrees 18 minutes 33 seconds West, at a distance of 467.50 feet passing a 1/2" rebar capped PEISER & MANKIN SURV found at the most westerly northwest corner of Lot 1, Block 1 of said Tractor Supply Stephenville Addition, continuing a total distance of 467.50 feet (plat 467.37 feet) to the POINT OF BEGINNING and containing 434,938 square feet or 9.985 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, SID Partners, LLC, owner, does hereby adopt this plat designating the herein described property as LOT 1, BLOCK 1, PROJECT TUCKER, an 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 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 of 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 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 \_\_\_\_\_, 2024

SID Partners, LLC

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

SURVEYOR'S CERTIFICATE

This is to certify that I, Joel S. Barton, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual on the ground survey, and that all lot corners, angle points and points of the curve shall be properly marked on the ground and that this plat correctly represents that survey made by me or under my direction and supervision.

**PRELIMINARY.** This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. Issued for review 8/8/2024 4:05 PM

Joel S. Barton  
Registered Professional Land Surveyor No. 4914  
GMCivil  
2559 SW Grapevine Pkwy  
Grapevine, Texas 76051  
817-329-4373

NOTES:

- Bearings are referenced to Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 as derived from GPS observation.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map No. 48143C0430D, effective date November 16, 2011, the subject property appears to lie in ZONE X-NON-SHADED (Areas determined to be outside the 0.2% annual chance floodplain).
- The purpose of this Final Plat is to create 1 platted lot out of a tract of land.
- The minimum finished floor elevations shall be provided when a building permit application is submitted. The minimum finished floor elevations shall be based on the current FEMA data. The minimum finished floor elevations shall be stated as mean sea level.

POINT OF BEGINNING

1/2" R.C.F.  
"PRICE SURVEYING"  
GRID  
N = 6772365.90  
E = 2062202.14

LINE #	BEARING	DISTANCE
L1	N03°53'10"W	14.88'
L2	N88°20'36"W	5.02'
L3	S03°53'10"E	20.03'

OWNED/DEVELOPED BY:

**SEEFRIED**  
INDUSTRIAL PROPERTIES  
3030 LBJ FREEWAY, SUITE 1650  
DALLAS, TX 75234  
817-304-5837  
CONTACT: KEITH KEMPER

PREPARED BY:

**GMcivil**  
Engineering & Surveying  
2559 SW Grapevine Pkwy, Grapevine, Texas 76051  
817-329-4373  
TxEng Firm # F-2944 | TxSurv Firm # 10021700

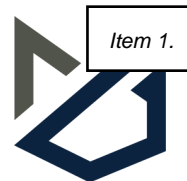
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**FINAL PLAT**  
OF  
**LOT 1, BLOCK 1**  
**PROJECT TUCKER**

BEING  
9.985 ACRES  
SITUATED IN THE  
M.R. WILLIAMS SURVEY, ABSTRACT No. 804  
CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS  
1 NON-RESIDENTIAL LOT  
Date: August 2024

CITY OF STEPHENVILLE ERATH COUNTY, TEXAS	
Director of Development Services	Date of Approval
ATTEST: _____ City Secretary	_____ Date





August 12, 2024

City of Stephenville  
Planning Department  
298 W Washington St  
Stephenville, TX 76401

**RE: Project Narrative – Project Tucker – Final Plat**

To Whom It May Concern,

Please accept this correspondence as the Project Narrative for the submittal of a final plat for Project Tucker. The project consists of one lot totaling approximately 9.985 acres and is situated in the M.R. Williams Survey, Abstract No. 804. The site is generally located east of Highway 281, approximately 1,000 feet north of the intersection with E Lingleville Road.

If you have any questions or need additional information regarding this final plat, please do not hesitate to contact our office at 817-329-4373. Thank you for your attention on this matter.

Sincerely,  
Goodwin & Marshall, Inc.

A handwritten signature in blue ink that reads 'Ryan Spears'.

Ryan Spears, P.E.