



## PLANNING AND ZONING COMMISSION MEETING

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

### AGENDA

#### CALL TO ORDER

#### MINUTES

- [1.](#) Consider Approval of November 15, 2023 Minutes
- [2.](#) Consider Approval of December 4, 2023 Minutes

#### PUBLIC HEARING

[3.](#) Case No.: AS2023-002

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

[4.](#) Case No.: AS2023-003

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

[5.](#) Case No.: AS2023-004

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

[6.](#) Case No.: AS2023-005

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

[7.](#) Case No.: AS2023-006

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

[8.](#) Case No.: AS2023-007

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

[9.](#) Case No.: RZ2023-008

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

[10.](#) Case No.: PP2023-004

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

**11. Case No.: SV2023-003**

Applicant Niraj Patel, representing DNJ's Investment, LLC, is requesting an appeal for a Subdivision Waiver denial regarding Section 155.6.11 – Sidewalk Requirements, to be constructed at 3015 Northwest Loop, Parcel R63719, Acres 2.730, S2600 CITY ADDITION;, BLOCK 161;, LOT 1; of 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.***



## PLANNING AND ZONING COMMISSION MEETING

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

### MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, November 15, 2023, at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular Business Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

**COMMISSIONERS PRESENT:** Lisa LaTouche, Chairperson  
Brian Lesley, Vice Chair  
Nick Robinson  
Justin Allison  
Paul Ashby  
Tyler Wright  
Bonnie Terrell – Alternate 1

**COMMISSIONERS ABSENT:** Mary Beach-McGuire

**OTHERS ATTENDING:** Steve Killen, Director of Development Services  
Jacey Wood, Deputy City Secretary

### CALL TO ORDER

Chairperson LaTouche called the meeting to order at 5:30 PM.

### MINUTES

- 1. Consider Approval of Minutes – October 18, 2023**  
MOTION by Brian Lesley, second by Paul Ashby to approve the minutes for October 18, 2023. MOTION CARRIED by unanimous vote of Commissioners that were present at the October 18, 2023 meeting.

### 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.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen reminded the Commission that on May 18, 2022, they met to hear the original case 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) and per city ordinance, Planned Developments require annual updates be made to the Commission. Mr. Killen stated that according to the updated timeline that was submitted the project is scheduled to be completed by August 2024.

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

Chairperson LaTouche opened the public hearing at 5:33 PM.

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

Chairperson LaTouche closed the public hearing at 5:33 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 1300 Pecan Hill Drive, Parcel R50244, being Lot 1 of S5465 Glasgow Addition of the City of Stephenville, Erath County, Texas. MOTION CARRIED by a unanimous vote.

**3. Case No.: RZ2023-007**

**Applicant Rhyne 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.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen informed the Commission that the property has a current zoning of (IND) Industrial and the Future Land Use for this property is designated as (B-2) Retail and Commercial. The applicant, Rhyne Gailey, is requesting the rezone of the property to (R-3) Multi-Family. Director Killen then answered questions from the Commissioners in regard to utility easements and property access.

Mr. Gailey was present to answer the questions of the Commission.

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

A letter of support was submitted by Greg Bruner.

No one spoke against the rezone request.

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

MOTION by Brian Lesley, second by Nick Robinson, to recommend approval to the City Council for the 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. MOTION CARRIED by a unanimous vote.



**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.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen reminded the Planning and Zoning Commissioners that a meeting was held in July 2021 and ultimately, the Preliminary Plat for the Development was approved. The Final Plat conforms to the Preliminary Plat and staff is requesting that 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.

Ward Rabb was present to answer the Commissioners' questions.

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

No one spoke in favor or against the Final Plat request.

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

MOTION by Paul Ashby, second by Brian Lesley, to approve the Final Plat with conditions as presented of the 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. MOTION CARRIED by a unanimous vote.

**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.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen informed the Commission that the 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 requested replat of multiple properties which would 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.

Taylor Kanute was present to answer the questions of the Commission.

Chairperson LaTouche opened the public hearing at 5:49 PM.

No one spoke in favor of the replat request.

Marshall Lee, 695 Prairie Wind, voiced his concerns.

Chairperson LaTouche closed the public hearing at 5:52 PM.

MOTION by Nick Robinson, second by Brian Lesley, to approve the replat of 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. MOTION CARRIED by a unanimous vote.

**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.**

Development Services Director, Steve Killen gave the following report: The applicant has submitted a Preliminary Plat that has been reviewed by staff. 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.

A Final Plat will be submitted to the Commission upon completion and acceptance of public improvements. Director Killen also noted that Mr. Allen has submitted civil plans that are currently under review.

Joel Allen was present to answer the questions of the Commission.

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

No one spoke in favor or against the Preliminary Plat request.

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

MOTION by Tyler Wright, second by Paul Ashby, to approve the Preliminary Plat with conditions for the property located at 0 Forest Lane, Parcel R77510, Acres 36.765, A0515 MOTLEY WILLIAM, of the City of Stephenville, Erath County, Texas. MOTION CARRIED by a unanimous vote.

**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.**

Development Services Director, Steve Killen briefed the Commission on the case. Mr. Killen reminded the Commission that on August 15, 2021, the applicant presented the Conceptual Plan to the Planning and Zoning Commission for an intended townhome development. The Planning and Zoning Commission made a recommendation to the City Council to approve the Planned Development which occurred December 2021. Subsequently, on March 7, 2023, the City Council approved a modified development schedule. Mr. Killen continued his brief by informing the Commission that staff have been working with the Developer and Project Engineer with plan submittals and 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. The proposed Preliminary Plat has been reviewed by staff and a Final Plat will be submitted to the Commission upon completion and acceptance of public improvements.

Reece Flanagan was present to answer the questions of the Commission.

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

No one spoke in favor or against the preliminary plat request.

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

MOTION by Paul Ashby, second by Brian Lesley, to approve the preliminary plat with conditions for the 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. MOTION CARRIED by a unanimous vote.

**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.**

Development Services Director, Steve Killen gave the following report. The aforementioned property has a current zoning of (B-2) Retail and Commercial and the Future Land Use for the property is designated as Office and Neighborhood. The applicant is requesting a rezone of the 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. Mr. Killen concluded his brief by stating that staff supports this rezone request.

Reece Flanagan was present to answer the Commissioners questions.

Chairperson LaTouche opened the public hearing at 6:07 PM.

No one spoke in favor of the rezone request.

A letter of opposition was received from Jana Saucedo.

Chairperson LaTouche closed the public hearing at 6:07 PM.

MOTION by Brian Lesley, second by Nick Robinson, to recommend approval to the City Council for the 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. MOTION CARRIED by a unanimous vote.

**ADJOURN**

The meeting was adjourned at 6:08 PM.

APPROVED:

ATTEST:

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Lisa LaTouche, Chair

\_\_\_\_\_  
Jacey Woods, Deputy City Secretary



## SPECIALY CALLED PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington  
Monday, December 4, 2023 at 5:30 PM

### MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Monday, December 4, 2023, at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Specially Called Business Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

**COMMISSIONERS PRESENT:** Lisa LaTouche, Chairperson  
Brian Lesley, Vice Chair  
Nick Robinson  
Justin Allison  
Tyler Wright  
Mary Beach-McGuire  
Bonnie Terrel, Alternate 1

**COMMISSIONERS ABSENT:** Paul Ashby

**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.

### PUBLIC HEARING

**1. Case No.: RZ2023-009**

**Applicant Oncor Electric Delivery Company LLC, representing Kam Woon Ip, is requesting a rezone for property located at W Lingleville Rd, being Parcel R22664, Acres 11.918, A0520 MENELEE JARRETT; of the City of Stephenville, Erath County, Texas from (B-1) Neighborhood Business to (IND) Industrial.**

Development Services Director, Steve Killen, briefed the Commissioners on the rezone request. Mr. Killen stated that the property has current zoning of (B-1) Neighborhood Business. The Future Land Use for this property is designated as (B-1) Neighborhood Business. The applicants are requesting the rezone in order to have outside storage and offices. Director Killen explained to the Commissioners that the rezone request is only applicable to the portion of the parcel being acquired by Oncor and as illustrated in the conveyance plat. The existing zoning will remain intact for the portion of the parcel that is not included in the conveyance. Mr. Killen concluded that staff supports the rezone request.

Thomas Fletcher and Marissa Volk with Kinley Horn as well as Pat Ann Wilson, representing Oncor, were present to answer the Commissioners' questions.

Chairperson LaTouche opened a public hearing at 5:33 PM.

No one spoke in favor of the rezone request.

Alan Nix, 113 Ben Hogan , representing West Side Church of Christ, spoke against the rezone request.

The public hearing was closed at 5:38 PM.

City Manager, Jason King, and Development Services Director, Steve Killen, as well as Mr. Fletcher and Ms. Wilson responded to the questions and concerns posed by Mr. Nix.

MOTION by Mary Beach-McGuire to recommend approval to the City Council for the rezone request FAILED due to lack of a second.

MOTION by Mary Beach-McGuire, second by Nick Robinson to make a recommendation to City Council to deny the rezone request for the property located at W Lingleville Rd, being Parcel R22664, Acres 11.918, A0520 MENELEE JARRETT; of the City of Stephenville, Erath County, Texas from (B-1) Neighborhood Business to (IND) Industrial. MOTION FAILED to receive a majority vote and therefore, the case will be forwarded to Council without a recommendation.

NOES: Tyler Wright, Mary Beach-McGuire, Lisa LaTouche, Bonnie Terrell

AYES: Justin Allison, Brian Lesley, Nick Robinson

## 2. Case No.: RZ2023-010

**Applicant Oncor Electric Delivery Company LLC, representing Allen Real Properties LTD is requesting a rezone for property located at W Lingleville Rd, being Parcel R22557, Acres 10.925, A0520 MENELEE JARRETT; of the City of Stephenville, Erath County, Texas from (B-1) Neighborhood Business to (IND) Industrial.**

Development Services Director, Steve Killen, briefed the commissioners on the rezone request. Mr. Killen stated that the property has current zoning of (B-1) Neighborhood Business. The Future Land Use for this property is designated as (B-1) Neighborhood Business. The applicants are requesting the rezone in order to have outside storage and offices. Director Killen explained to the Commissioners that the rezone request is only applicable to the portion of the parcel being acquired by Oncor and as illustrated in the conveyance plat. The existing zoning will remain intact for the portion of the parcel that is not included in the conveyance. Mr. Killen concluded that staff supports the rezone request.

Thomas Fletcher and Marissa Volk with Kinley Horn as well as Pat Ann Wilson, representing Oncor, was present to answer the Commissioners' questions.

Chairperson LaTouche opened a public hearing at 6:01 PM.

Danny Clark, 1611 N Dale, spoke in favor of the rezone request.

Rhett Harrison, 1735 N Dale, spoke against the rezone request.

The public hearing was closed at 6:07 PM.

MOTION by Brian Lesley, second by Nick Robinson, to recommend approval to the City Council for the rezone of property located at W Lingleville Rd, being Parcel R22557, Acres 10.925, A0520 MENELEE JARRETT; of the City of Stephenville, Erath County, Texas from (B-1) Neighborhood Business to (IND) Industrial. MOTION CARRIED with a 5 to 2 vote.

AYES: Tyler Wright, Mary Beach-McGuire, Lisa LaTouche, Brian Lesley, Bonnie Terrell

NOES: Justin Allison, Nick Robinson

**3. Case No.: CP2023-001**

**Applicant Oncor Electric Delivery Company LLC, representing Kam Woon Ip and Allen Real Properties LTD is requesting a conveyance plat of properties located at W Lingleville Rd, being Parcel R22664, Acres 11.918, A0520 MENELEE JARRETT and W Lingleville Rd, being Parcel R22557, Acres 10.925, A0520 MENELEE JARRETT of the City of Stephenville, Erath County, Texas.**

Development Services Director, Steve Killen, informed the Commissioners that Oncor Electric Delivery Company LLC is proposing a conveyance plat in order to acquire portions of Parcels R22664 and R22557. The applicant has submitted a Conveyance Plat that has been reviewed by staff. Staff is requesting the Planning and Zoning Commission grant Approval of the Conveyance Plat for subdivision and recordation purposes only as outlined in Section 155.4.12 of the City of Stephenville’s Subdivision ordinance.

Thomas Fletcher and Marissa Volk with Kinley Horn as well as Pat Ann Wilson, representing Oncor, was present to answer the Commissioners’ questions.

Chairperson LaTouche opened a public hearing at 6:13 PM.

No one spoke in favor or against the conveyance plat request.

The public hearing was closed at 6:13 PM.

MOTION by Brian Lesley, second by Nick Robinson, to approve the Conveyance Plat as submitted for properties located at W Lingleville Rd, being Parcel R22664, Acres 11.918, A0520 MENELEE JARRETT and W Lingleville Rd, being Parcel R22557, Acres 10.925, A0520 MENELEE JARRETT of the City of Stephenville, Erath County, Texas. MOTION CARRIED with a vote of 6 to 1 with Justin Allison casting the dissenting vote.

**ADJOURN**

The meeting was adjourned at 6:14 PM.

APPROVED:

ATTEST:

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

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



# STAFF REPORT

**SUBJECT:** Case No.: AS2022-002  
Abandonment of Saint Felix Street from West Turner Street to West Tarleton Street

**DEPARTMENT:** Development Services

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

**RECOMMENDATION:**

To recommend the City Council abandon the aforementioned portion of the public street as authorized by Chapter 95 of the City of Stephenville Code of Ordinance.

**BACKGROUND:**

The City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. The applicable sections of the city code are as follows:

**ARTICLE IV. - CLOSING STREETS AND ALLEYS**

Sec. 95.50. - Reference to transportation code.

Provisions for the closing of streets and alleys are granted by the V.T.C.A. Transp. Code § 311.07. The procedures and regulations set out herein are consistent with the requirements of the Code and set out regulations to be followed in the closing of streets and alleys. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.51. - Public hearing generally.

The City Council, on its own initiative, may call a public hearing to determine whether or not any street or alley in the city, or any portion thereof, should be closed or abandoned as a public thoroughfare. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)



**DEPARTMENTAL COMMENTS:****Public Works Department**

Retain Easement: 15-ft. wide Municipal Utility Easement is needed for Water and Sewer mains to service one house 190 Saint Felix at this location.

Final easement dimensions to be identified by survey.

**Development Services**

No additional comments.

**Police Department**

No additional comments.

**Fire Department**

No additional comments.

**ESTIMATE OF VALUE:****ARTICLE IV. - CLOSING STREETS AND ALLEYS****Sec. 95.56. - Appraisal of real property required.**

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefore, this time period may be extended by the City Administrator. Such extension shall be in writing.
- B. As an alternative to the above, the petitioner may elect, in writing, to utilize the average appraised values of the land immediately adjacent to the street or alley to be closed as shown on the most recent approved municipal tax roll. Such average value shall be calculated by city staff.
- C. If the requested closure is approved by City Council, the actual selling price shall be determined solely by the City Council, but in no case shall the selling price be less than the appraised value as determined under this section.

(Ord. 2015-11, passed 7-7-2015)

**ALTERNATIVES:**

- 1) Recommend the City Council abandon the road as initiated.
- 2) Recommend the City Council terminate the initiated action and not abandon.









# STAFF REPORT

**SUBJECT:** Case No.: AS2022-003  
Abandonment of Saint Peter Street, from West Washington Street to West Tarleton Street

**DEPARTMENT:** Development Services

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

**RECOMMENDATION:**

To recommend the City Council abandon the aforementioned street as authorized by Chapter 95 of the City of Stephenville Code of Ordinance.

**BACKGROUND:**

The City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. The applicable sections of the city code are as follows:

**ARTICLE IV. - CLOSING STREETS AND ALLEYS**

Sec. 95.50. - Reference to transportation code.

Provisions for the closing of streets and alleys are granted by the V.T.C.A. Transp. Code § 311.07. The procedures and regulations set out herein are consistent with the requirements of the Code and set out regulations to be followed in the closing of streets and alleys. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.51. - Public hearing generally.

The City Council, on its own initiative, may call a public hearing to determine whether or not any street or alley in the city, or any portion thereof, should be closed or abandoned as a public thoroughfare. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)

**DEPARTMENTAL COMMENTS:****Public Works Department**

Retain Easement: 30-ft. wide Municipal Utility Easement from Washington to Saint Peter is needed for a 14-inch Water Distribution Line and a 6-inch Water Transmission Line

Abandon: ¾-inch Water Distribution Line (acting as a service line) and a 6-inch sanitary sewer line

Final easement dimensions to be identified by survey.

**Development Services**

No additional comments.

**Police Department**

No additional comments.

**Fire Department**

No additional comments.

**ESTIMATE OF VALUE:****ARTICLE IV. - CLOSING STREETS AND ALLEYS****Sec. 95.56. - Appraisal of real property required.**

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefore, this time period may be extended by the City Administrator. Such extension shall be in writing.
- B. As an alternative to the above, the petitioner may elect, in writing, to utilize the average appraised values of the land immediately adjacent to the street or alley to be closed as shown on the most recent approved municipal tax roll. Such average value shall be calculated by city staff.
- C. If the requested closure is approved by City Council, the actual selling price shall be determined solely by the City Council, but in no case shall the selling price be less than the appraised value as determined under this section.

(Ord. 2015-11, passed 7-7-2015)

**ALTERNATIVES:**

- 1) Recommend the City Council abandon the road as initiated.
- 2) Recommend the City Council terminate the initiated action and not abandon.









# STAFF REPORT

**SUBJECT:** Case No.: AS2022-004  
Abandonment of Jones Street, from North Cain Street to North Lillian Street

**DEPARTMENT:** Development Services

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

**RECOMMENDATION:**

To recommend the City Council abandon the portion of the aforementioned public street as authorized by Chapter 95 of the City of Stephenville Code of Ordinance.

**BACKGROUND:**

The City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. The applicable sections of the city code are as follows:

**ARTICLE IV. - CLOSING STREETS AND ALLEYS**

Sec. 95.50. - Reference to transportation code.

Provisions for the closing of streets and alleys are granted by the V.T.C.A. Transp. Code § 311.07. The procedures and regulations set out herein are consistent with the requirements of the Code and set out regulations to be followed in the closing of streets and alleys. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.51. - Public hearing generally.

The City Council, on its own initiative, may call a public hearing to determine whether or not any street or alley in the city, or any portion thereof, should be closed or abandoned as a public thoroughfare. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)

**DEPARTMENTAL COMMENTS:****Public Works Department**

Retain Easement: 15-ft. wide Municipal Utility Easement is needed for 6-inch Water Line to keep water system looped

Abandon: 8-inch sanitary sewer line

Final easement dimensions to be identified by survey.

**Development Services**

No additional comments.

**Police Department**

No additional comments.

**Fire Department**

No additional comments.

**ESTIMATE OF VALUE:****ARTICLE IV. - CLOSING STREETS AND ALLEYS****Sec. 95.56. - Appraisal of real property required.**

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefore, this time period may be extended by the City Administrator. Such extension shall be in writing.
- B. As an alternative to the above, the petitioner may elect, in writing, to utilize the average appraised values of the land immediately adjacent to the street or alley to be closed as shown on the most recent approved municipal tax roll. Such average value shall be calculated by city staff.
- C. If the requested closure is approved by City Council, the actual selling price shall be determined solely by the City Council, but in no case shall the selling price be less than the appraised value as determined under this section.

(Ord. 2015-11, passed 7-7-2015)

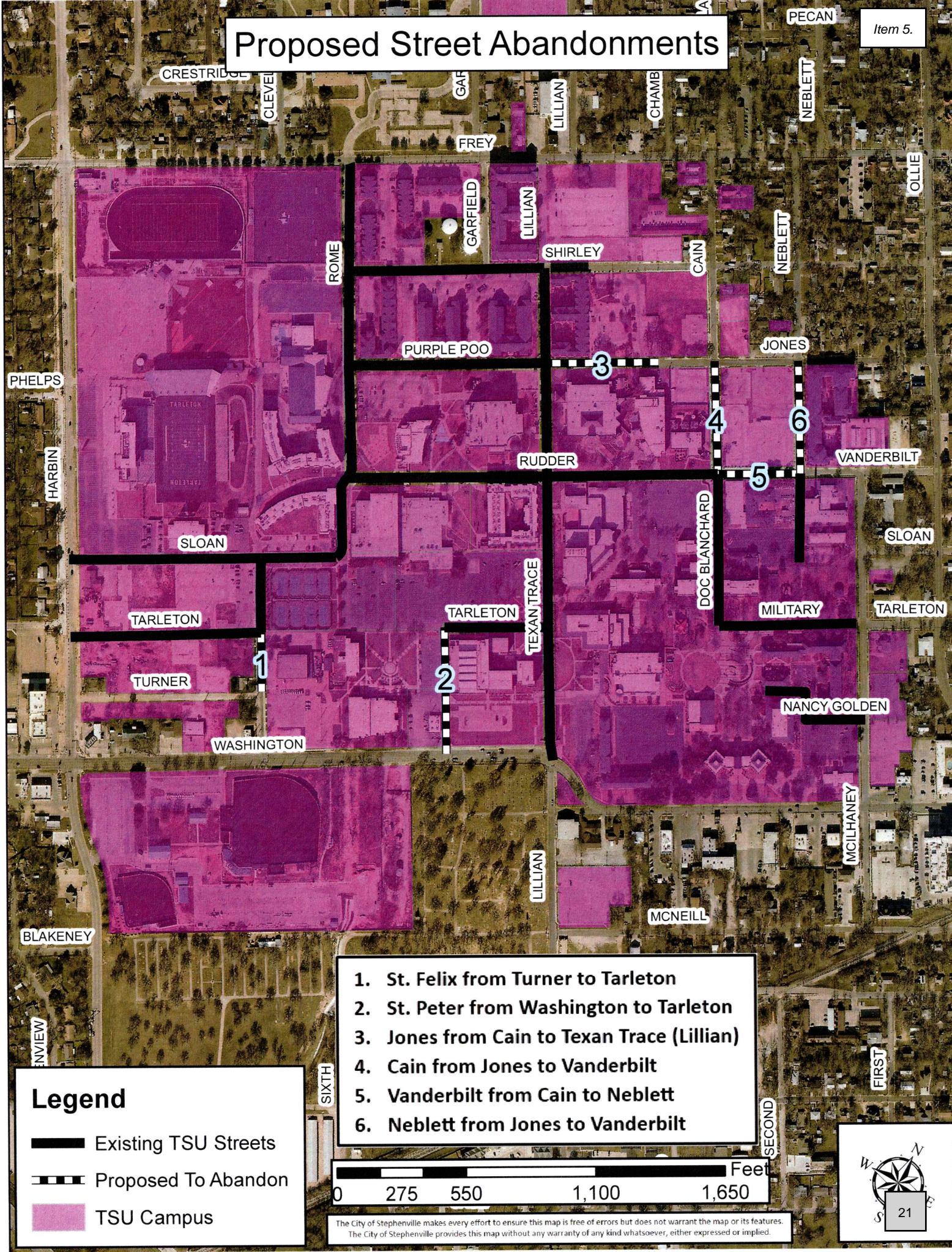
**ALTERNATIVES:**

- 1) Recommend the City Council abandon the road as initiated.
- 2) Recommend the City Council terminate the initiated action and not abandon.






# Proposed Street Abandonments

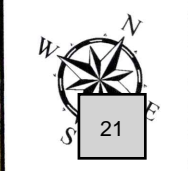
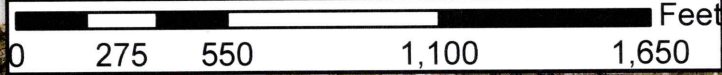
Item 5.



1. St. Felix from Turner to Tarleton
2. St. Peter from Washington to Tarleton
3. Jones from Cain to Texan Trace (Lillian)
4. Cain from Jones to Vanderbilt
5. Vanderbilt from Cain to Neblett
6. Neblett from Jones to Vanderbilt

## Legend

-  Existing TSU Streets
-  Proposed To Abandon
-  TSU Campus



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# STAFF REPORT



**SUBJECT:** Case No.: AS2022-005  
Abandonment of Cain Street, from West Jones Street to West Vanderbilt Street

**DEPARTMENT:** Development Services

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

**RECOMMENDATION:**

To recommend the City Council abandon the aforementioned street as authorized by Chapter 95 of the City of Stephenville Code of Ordinance.

**BACKGROUND:**

The City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. The applicable sections of the city code are as follows:

**ARTICLE IV. - CLOSING STREETS AND ALLEYS**

Sec. 95.50. - Reference to transportation code.

Provisions for the closing of streets and alleys are granted by the V.T.C.A. Transp. Code § 311.07. The procedures and regulations set out herein are consistent with the requirements of the Code and set out regulations to be followed in the closing of streets and alleys.  
(Ord. 2015-11, passed 7-7-2015)

Sec. 95.51. - Public hearing generally.

The City Council, on its own initiative, may call a public hearing to determine whether or not any street or alley in the city, or any portion thereof, should be closed or abandoned as a public thoroughfare.  
(Ord. 2015-11, passed 7-7-2015)

Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)

**DEPARTMENTAL COMMENTS:****Public Works Department**

Retain Easement: 15-ft. wide Municipal Utility Easement is needed for 6-inch Water Line to keep water system looped

Abandon: 6-inch sanitary sewer line

Final easement dimensions to be identified by survey.

**Development Services**

No additional comments.

**Police Department**

No additional comments.

**Fire Department**

No additional comments.

**ESTIMATE OF VALUE:****ARTICLE IV. - CLOSING STREETS AND ALLEYS****Sec. 95.56. - Appraisal of real property required.**

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefore, this time period may be extended by the City Administrator. Such extension shall be in writing.
- B. As an alternative to the above, the petitioner may elect, in writing, to utilize the average appraised values of the land immediately adjacent to the street or alley to be closed as shown on the most recent approved municipal tax roll. Such average value shall be calculated by city staff.

- C. If the requested closure is approved by City Council, the actual selling price shall be determined solely by the City Council, but in no case shall the selling price be less than the appraised value as determined under this section.

(Ord. 2015-11, passed 7-7-2015)

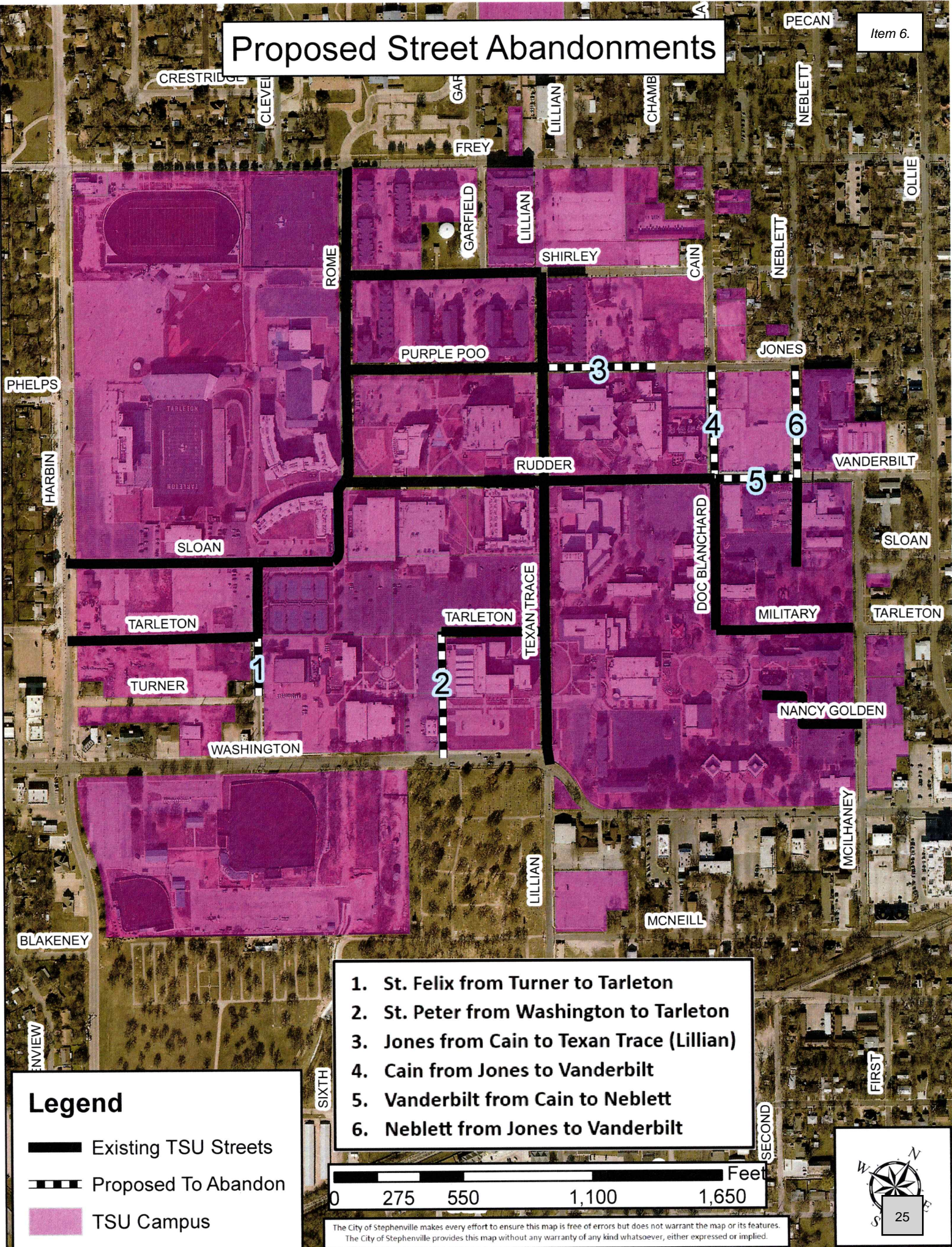
**ALTERNATIVES:**

- 1) Recommend the City Council abandon the road as initiated.
- 2) Recommend the City Council terminate the initiated action and not abandon.






# Proposed Street Abandonments

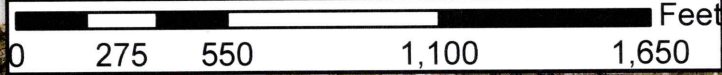
Item 6.



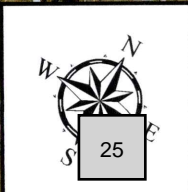
1. St. Felix from Turner to Tarleton
2. St. Peter from Washington to Tarleton
3. Jones from Cain to Texan Trace (Lillian)
4. Cain from Jones to Vanderbilt
5. Vanderbilt from Cain to Neblett
6. Neblett from Jones to Vanderbilt

## Legend

-  Existing TSU Streets
-  Proposed To Abandon
-  TSU Campus



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# STAFF REPORT



**SUBJECT:** Case No.: AS2022-006  
Abandonment of Vanderbilt Street, from North Cain Street to North Neblett Street

**DEPARTMENT:** Development Services

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

**RECOMMENDATION:**

To recommend the City Council abandon the aforementioned street as authorized by Chapter 95 of the City of Stephenville Code of Ordinance.

**BACKGROUND:**

The City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. The applicable sections of the city code are as follows:

**ARTICLE IV. - CLOSING STREETS AND ALLEYS**

Sec. 95.50. - Reference to transportation code.

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Sec. 95.51. - Public hearing generally.

The City Council, on its own initiative, may call a public hearing to determine whether or not any street or alley in the city, or any portion thereof, should be closed or abandoned as a public thoroughfare. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)

**DEPARTMENTAL COMMENTS:****Public Works Department**

Retain Easement: 15-ft. wide Municipal Utility Easement is needed for 8-inch Water Line to keep water system looped

Abandon: 6-inch sanitary sewer line

Final easement dimensions to be identified by survey.

**Development Services**

No additional comments.

**Police Department**

No additional comments.

**Fire Department**

No additional comments.

**ESTIMATE OF VALUE:****ARTICLE IV. - CLOSING STREETS AND ALLEYS****Sec. 95.56. - Appraisal of real property required.**

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefore, this time period may be extended by the City Administrator. Such extension shall be in writing.
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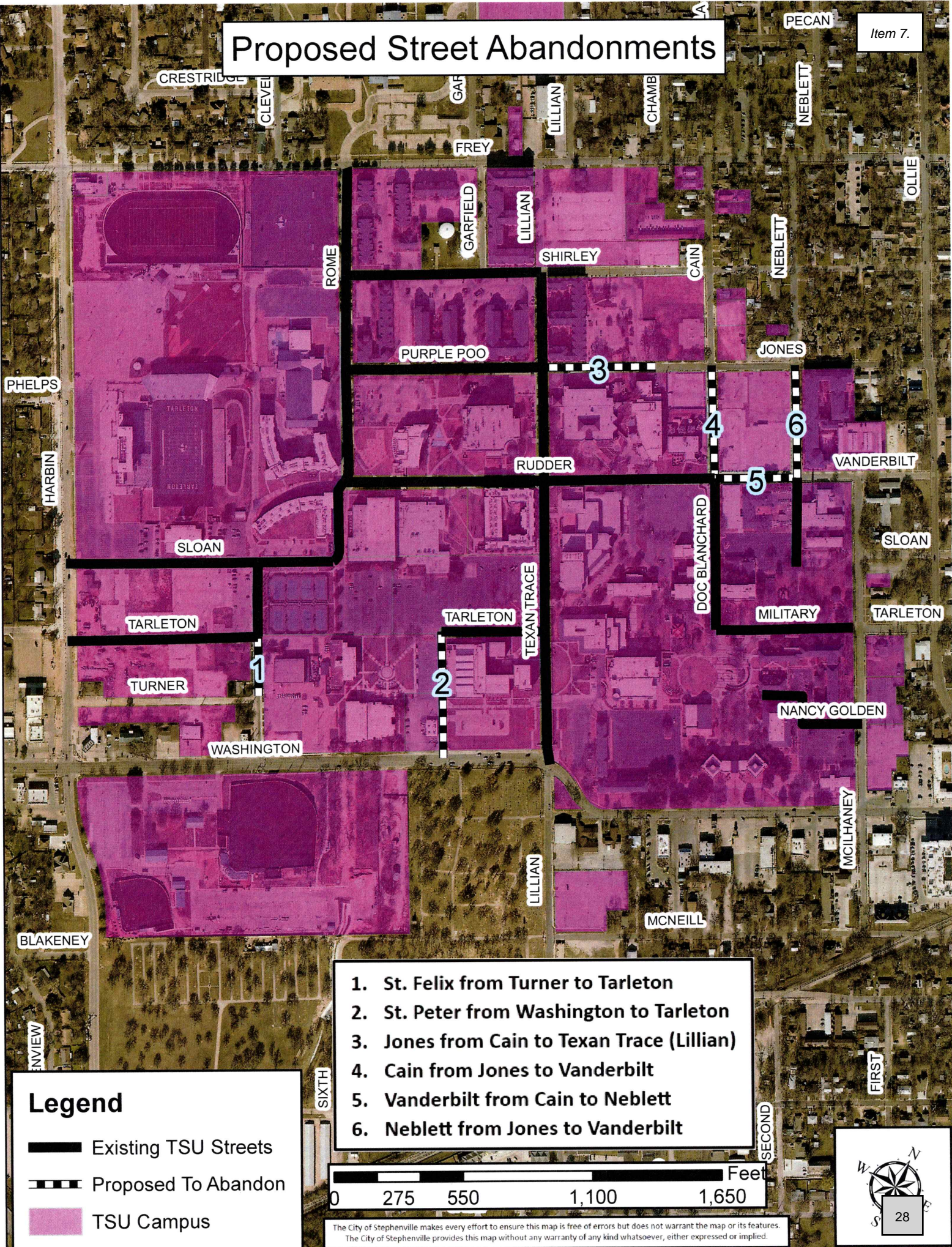
**ALTERNATIVES:**

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# Proposed Street Abandonments

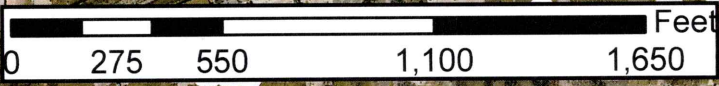
Item 7.



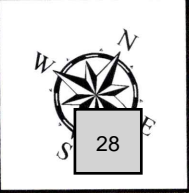
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3. Jones from Cain to Texan Trace (Lillian)
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## Legend

-  Existing TSU Streets
-  Proposed To Abandon
-  TSU Campus



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# STAFF REPORT

**SUBJECT:** Case No.: AS2022-007  
Abandonment of Neblett Street, from West Jones Street to West Vanderbilt Street

**DEPARTMENT:** Development Services

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

**RECOMMENDATION:**

To recommend the City Council abandon the aforementioned street as authorized by Chapter 95 of the City of Stephenville Code of Ordinance.

**BACKGROUND:**

The City has previously abandoned streets near and through the Tarleton State University Campus for campus expansion or improvements.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on November 7, 2023, approving resolutions to abandon. The Planning and Zoning Commission is now charged with holding a public hearing and providing a recommendation to the City Council. The applicable sections of the city code are as follows:

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Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)

**DEPARTMENTAL COMMENTS:****Public Works Department**

Retain Easement: 15-ft. wide Municipal Utility Easement is needed for 2-inch Water Line to keep water system looped

Abandon: 6-inch sanitary sewer line

Final easement dimensions to be identified by survey.

**Development Services**

No additional comments.

**Police Department**

No additional comments.

**Fire Department**

No additional comments.

**ESTIMATE OF VALUE:****ARTICLE IV. - CLOSING STREETS AND ALLEYS****Sec. 95.56. - Appraisal of real property required.**

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefore, this time period may be extended by the City Administrator. Such extension shall be in writing.
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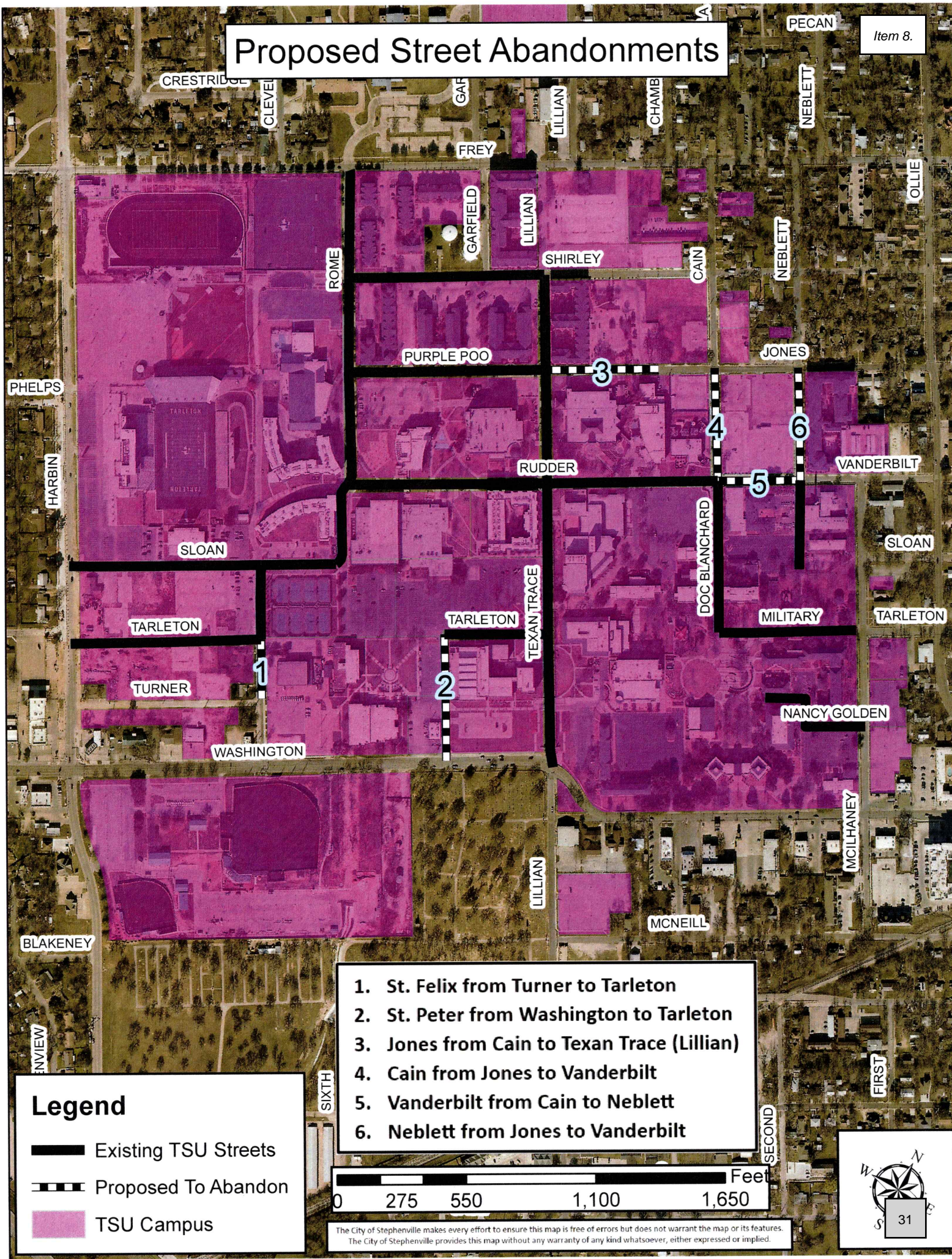
**ALTERNATIVES:**

- 1) Recommend the City Council abandon the road as initiated.
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# Proposed Street Abandonments

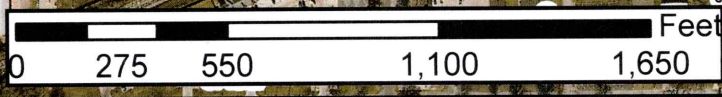
Item 8.



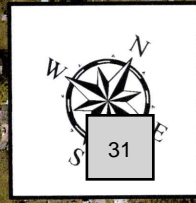
**Legend**

- Existing TSU Streets
- Proposed To Abandon
- TSU Campus

1. St. Felix from Turner to Tarleton
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# STAFF REPORT



**SUBJECT:** Case No.: RZ2023-08

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

**DEPARTMENT:** Development Services

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

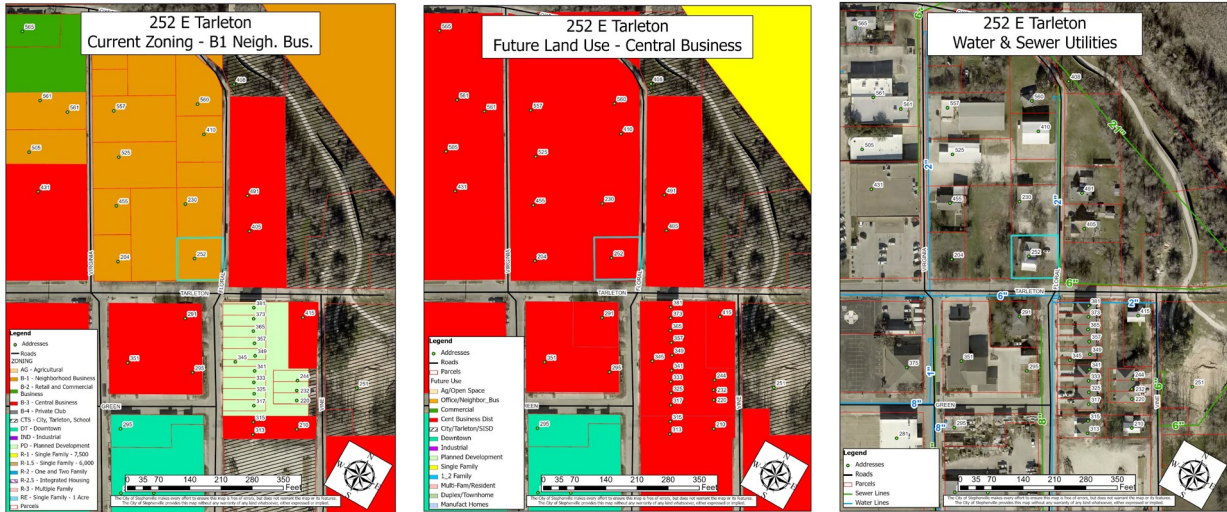
## RECOMMENDATION:

The property has current zoning of B-1, Neighborhood Business. The Future Land Use for this property is designated as B-3, Central Business District.

## BACKGROUND:

The applicant is requesting a rezone to Central Business District (B-3) which will allow her to market the current dwelling that is on the property as either a Bed and Breakfast or a rental unit.

## PROPERTY PROFILE:



### Sec. 154.06.3. Central business district (B-3).

**6.3.A Description.** The Central Business District is intended to encourage the redevelopment of the downtown business area, which includes the historic courthouse, all types of offices, retail business and residences. The varying land uses included in the Central Business District are compatible with existing uses to preserve the integrity of the Central Business District and deter urban deterioration. This district also facilitates the maintenance of the area and provides for the vibrant interaction between retail, service, residential and citizens citywide.

**6.3.B Permitted Uses.**

- (1) Accessory building to main use;
- (2) Antique shop/art gallery—sales in building;
- (3) Auto parking lot or building (commercial);
- (4) Bakery—Retail;
- (5) Banks or other financial institutions;
- (6) Bed and breakfast/boarding house;
- (7) Bicycle sales and rental;
- (8) Church, temple or mosque;
- (9) Civic or community center;
- (10) Cleaning and pressing—small shop, pickup and delivery;
- (11) College or university;
- (12) Condominium;
- (13) Convenience/grocery store (without pumps);
- (14) Department store;
- (15) Drapery, needlework or weaving shop;
- (16) Farmers market;
- (17) Florist;
- (18) Fraternal organization, lodge or civic club;
- (19) Furniture or appliance store;
- (20) Handcraft shop;
- (21) Health club, weight and aerobic center;
- (22) Home occupation;
- (23) Hotels and motels;
- (24) Household appliance service and repair (no outside storage);
- (25) Kiosk;
- (26) Laboratory (medical);
- (27) Micro brewery;
- (28) Multi-family dwelling (five more units);
- (29) Municipal facilities/state facilities/federal facilities;
- (30) Office—professional and general administration;
- (31) Park, playground, public community recreation center;
- (32) Personal service shop (beauty/barber shop and the like);
- (33) Pet shop—small animals within building (no boarding);
- (34) Railroad or bus passenger station;
- (35) Registered family home (six + six children);
- (36) Restaurant or cafeteria—without drive-in service;
- (37) Restaurant with alcoholic beverage service;
- (38) Retail shops;

- (39) Retirement housing complex;
- (40) Sale of alcohol as licensed by the Texas Alcoholic Beverage Commission;
- (41) Schools—private/parochial;
- (42) Schools—public;
- (43) Single family dwelling;
- (44) Studio for photographer, musician, artist and the like;
- (45) Studio for radio and television;
- (46) Tattoo parlor/body piercing studio;
- (47) Theater—indoor;
- (48) Townhouse; and
- (49) Two-four family dwelling.

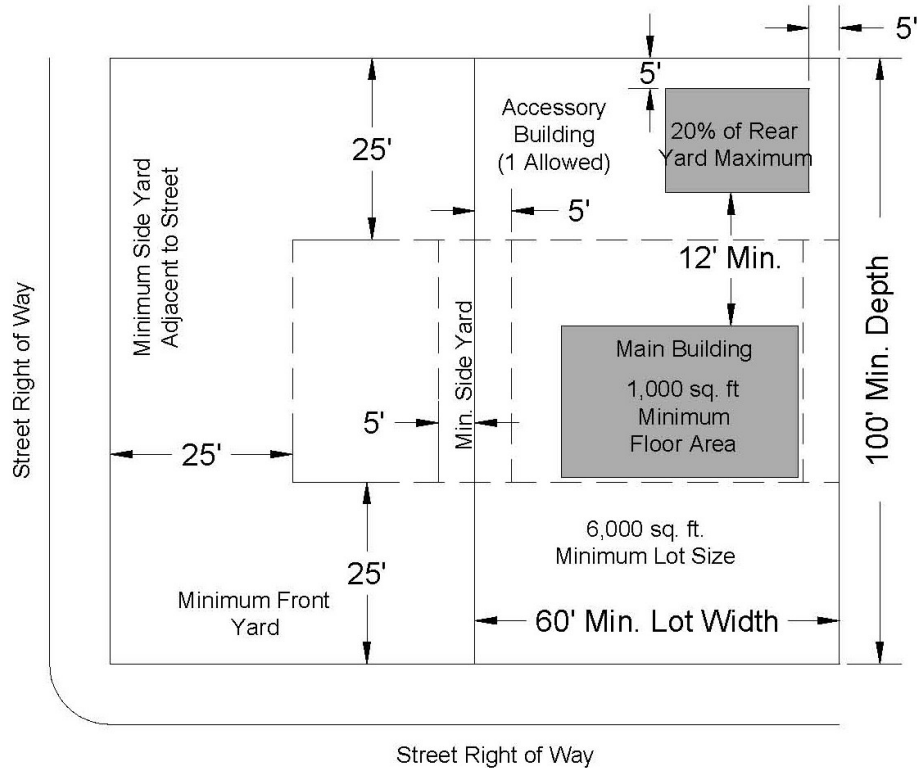
**6.3.C Conditional Uses (Special Use Permit required).**

- (1) Assisted living center;
- (2) Auto parts sales;
- (3) Automobile service station and car care center;
- (4) Clinic;
- (5) Day care center (12 or more children);
- (6) Hospital—general acute care (human);
- (7) Printing;
- (8) Plumbing shop;
- (9) Scientific and research laboratories;
- (10) Storage, sale or repair of furniture and appliances (inside building);
- (11) Tobacco shop;
- (12) Tool and equipment rental shop; and
- (13) Trade and commercial schools.

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

- (A) *Single family dwelling.*
  - (1) Maximum density: one dwelling unit per lot.
  - (2) Minimum lot area: 6,000 ft<sup>2</sup>.
  - (3) Minimum lot width and lot frontage: 60 feet.
  - (4) Minimum lot depth: 100 feet.
  - (5) Minimum depth of front setback: 25 feet.
  - (6) Minimum depth of rear setback: 25 feet.
  - (7) Minimum width of side setback:
    - (a) Internal lot: five feet.
    - (b) Corner lot: 25 feet from intersecting side street.
  - (8) Building size:
    - (a) Maximum coverage as a percentage of lot area: 40%.
    - (b) Minimum area of main building: 1,000 ft<sup>2</sup>.
  - (9) Accessory buildings:

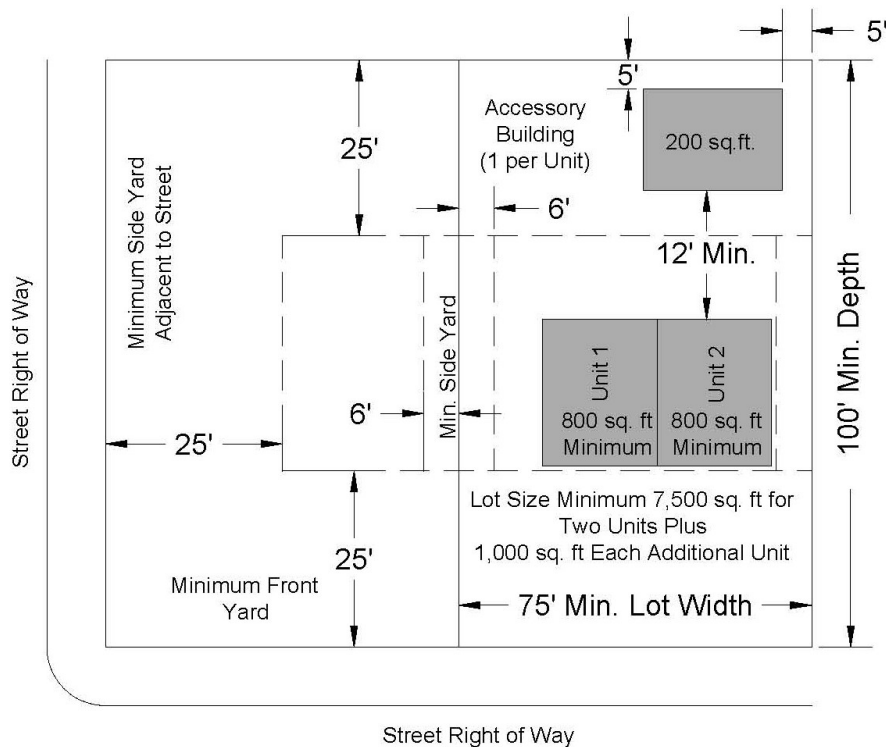
- (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum number of accessory buildings: one.
  - (c) Minimum depth of side setback: five feet.
  - (d) Minimum depth of rear setback: five feet.
  - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
  - (11) 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.



(B) *Two-four family dwelling.*

- (1) Minimum lot area: 7,500 ft for two dwelling units, plus 1,000 ft 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:

- (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - (c) Maximum number of accessory buildings: one per unit.
  - (d) Minimum depth of side setback: five feet.
  - (e) Minimum depth of rear setback: five feet.
  - (f) 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.

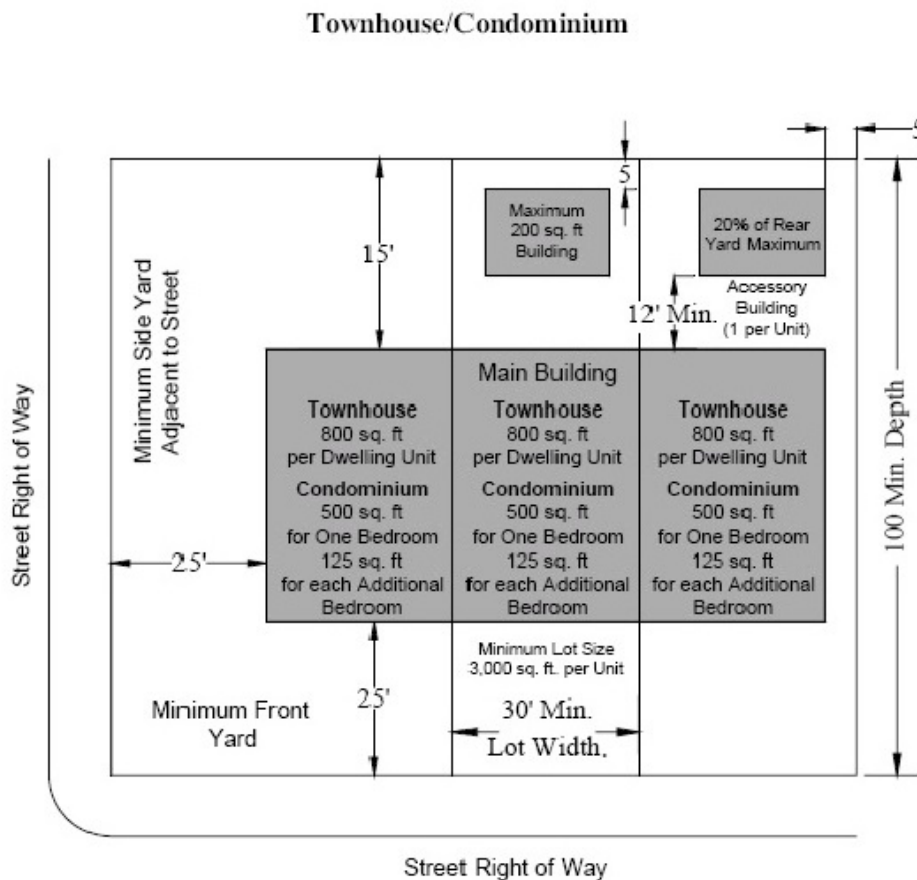


(C) *Townhouse/Condominium.*

- (1) Minimum lot area: 3,000 ft<sup>2</sup> per unit.
- (2) Minimum average lot width and lot frontage: 30 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum width of rear setback: 15 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 main building coverage as a percentage of lot area: 40%
  - (b) Minimum area of each Townhouse dwelling unit: 800 ft<sup>2</sup>.



- (c) Minimum area of each Condominium 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.
- (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.



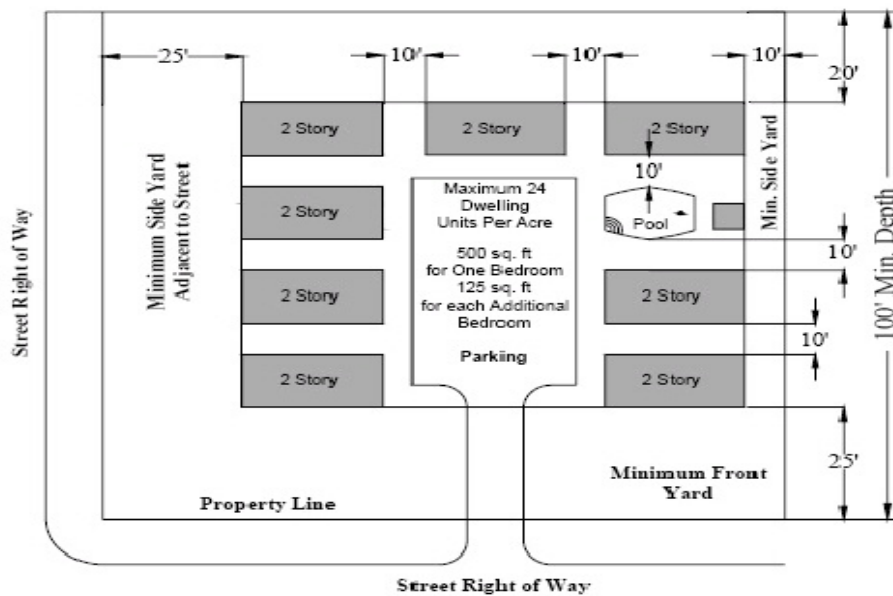
(D) *Multiple family dwellings.*

- 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.
- Minimum width of side setback:
  - 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.

### **6.3.D Height, Area, Yard and Lot Coverage Requirements**

#### **Multiple-Family Dwelling**

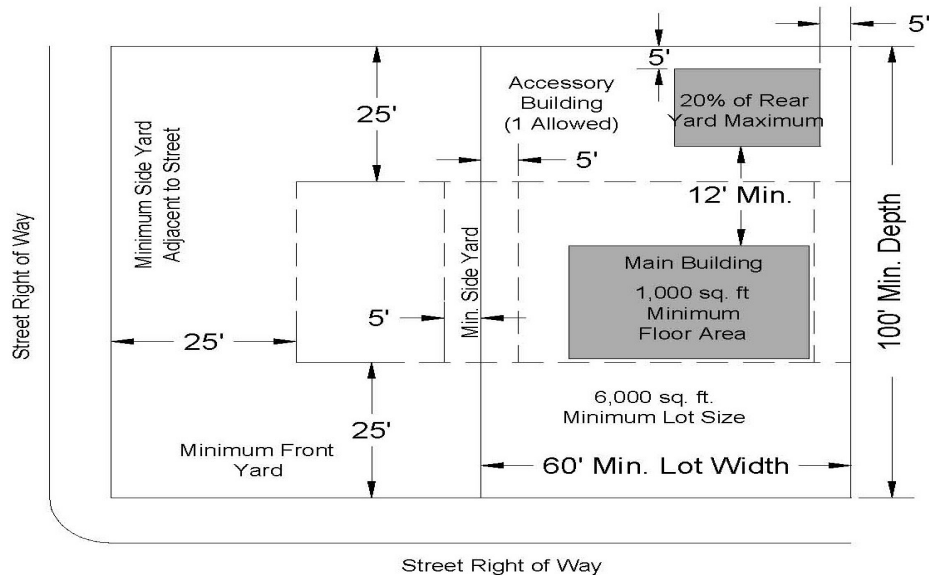


Note: Building size for multiple family dwellings shall have a minimum area for efficiency or one bedroom unit at 350 feet squared. All other dwelling units shall have a minimum of 800 feet squared.

- (E) *All other uses.*
- (1) Maximum density: There is no maximum density requirement.
  - (2) Minimum lot area: There is no minimum area requirement.
  - (3) Minimum lot width: There is no minimum width requirement.
  - (4) Minimum lot depth: There is no minimum depth requirement.
  - (5) Minimum depth of front setback: There is no front setback requirement.
  - (6) Minimum depth of rear setback: There is no minimum rear setback requirement unless the lot abuts upon a Residential District, then a minimum ten feet is required.
  - (7) Minimum width of side setback:
    - (a) Internal lot: There is no minimum side setback requirement unless the lot abuts upon a Residential District, then a minimum five feet is required.
    - (b) Corner lot: There is no setback requirement.

- (8) Building Size: there are no minimum size regulations.
- (9) Maximum height of structures: No building shall exceed 75 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. All Other Uses**



Note: No rear or side yard except when the lot abuts upon a Residential District, then the minimum setback for rear yard is ten feet and side yard is five feet.

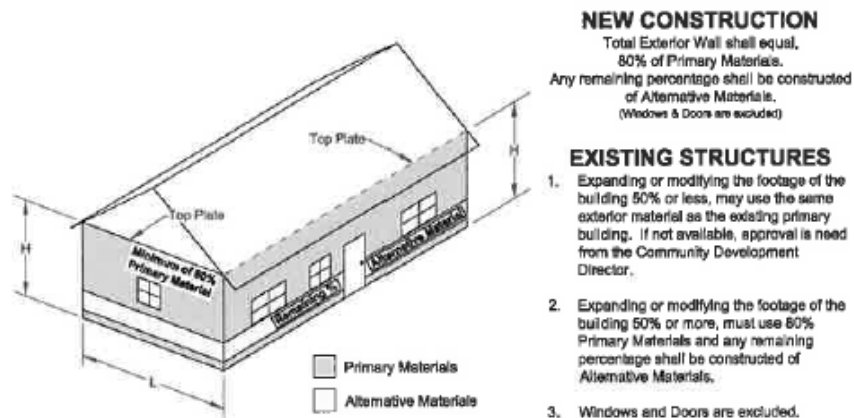
**6.3.E Parking Regulations.**

- (1) A Single-Family, B-3 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (2) A Two-Four-Family, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (3) A Townhouse/Condominium, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (4) A Multiple Family, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (5) All uses permitted in the B-3 District: See Section 11 for Parking Regulations.

**6.3.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.



**6.3.G Sign Regulation.** See Section 12 for Sign Regulations.

**6.3.H Exceptions to Use, Height and Area Regulations.** See Section 10.

**6.3.I Garbage Regulations.** Central Business District businesses will provide a serviceable area specifically for refuse collection designed for refuse canisters. Each designated canister area will be nine feet wide and eight feet deep (72 square feet), with a cement slab base. If the location of the cement slab is adjacent to a residential district, the slab must be at least five feet from the property line. The refuse area will be enclosed on three sides by a privacy fence. Approach areas will meet the requirements of Subsection 6.3.J.

**6.3.J Loading and Unloading Regulations.** All loading, unloading and maneuvering of vehicles connected with the activity must be on the premises and will not be permitted in any street. Loading and unloading areas must be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced.

(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Am. Ord. 2009-23, passed 12-1-2009; Am. Ord. 2011-26, passed 12-6-2011; Am. Ord. No. 2018-O-25 , § 1, 8-7-2018; Ord. No. 2021-O-17 , §§ 1, 4, passed 6-1-2021; Ord. No. 2021-O-32 , § 1, passed 8-3-2021)

**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.

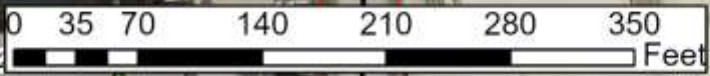


# 252 E Tarleton 200 Ft Buffer

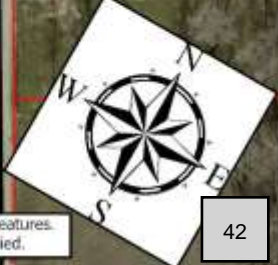


**Legend**

- Addresses
- Roads
- ▭ Parcels
- 200 Ft Buffer



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 expressed or implied.



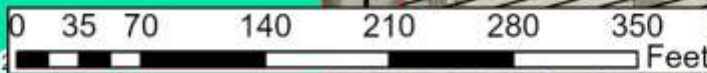


# 252 E Tarleton Current Zoning - B1 Neigh. Bus.

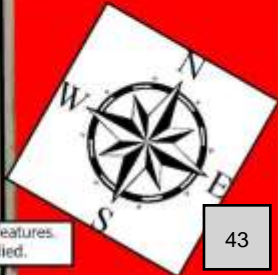


**Legend**

- Addresses
- Roads
- 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
- Parcels



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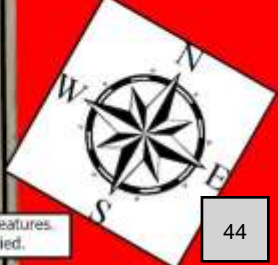
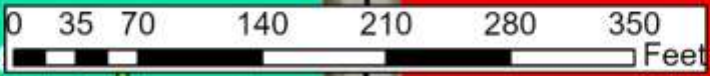


# 252 E Tarleton Future Land Use - Central Business



**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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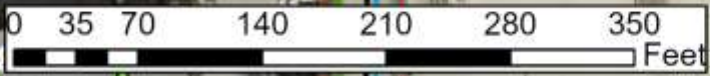


# 252 E Tarleton Water & Sewer Utilities

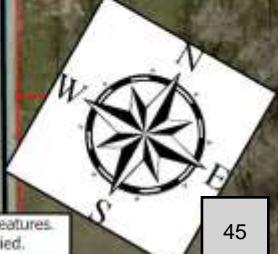


**Legend**

- 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 expressed or implied.



## Parcel R29602 Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029523	0 E TARLETON	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401
R000029522	0 E TARLETON	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029520	405 N FLORAL	EDWARDS DOROTHY JEAN	405 N FLORAL	STEPHENVILLE	TX	76401
R000076794	357 FLORAL	ESCALANTE MATTHEW & KAELAN B ESCALANTE	357 N FLORAL	STEPHENVILLE	TX	76401
R000076796	373 FLORAL	FLANAGAN NICHOLAS P & BROOKE D MACCONNELL ORNELAS	4723 RUIZ ST	AUSTIN	TX	78723
R000029525	491 N FLORAL	FORNES KASON LYNN & CHESSNEY M BROOKS	2915 W WASHINGTON	STEPHENVILLE	TX	76401
R000029601	0 N FLORAL	GLASGOW DEANNA	605 N GRAHAM	STEPHENVILLE	TX	76401
R000029600	410 N FLORAL	GLASGOW DEANNA	605 N GRAHAM	STEPHENVILLE	TX	76401
R000029526	406 FLORAL	GLASGOW DEANNA	605 N GRAHAM	STEPHENVILLE	TX	76401
R000029594	525 N VIRGINIA	GLASGOW DEANNA	605 N GRAHAM	STEPHENVILLE	TX	76401
R000029593	210 TARLETON	HAMMON KIMBERLY	PO BOX 1132	STEPHENVILLE	TX	76401
R000029602	252 E TARLETON	HAMMON KIMBERLY & SHANNON HAMMON	PO BOX 1132	STEPHENVILLE	TX	76401
R000078009	404 N FLORAL	HAMMON KIMBERLY B	PO BOX 1132	STEPHENVILLE	TX	76401
R000029521	406 TARLETON	HUDSON TOMMY MR & MRS	1001 E WASHINGTON 20A	STEPHENVILLE	TX	76401-0000
R000029529	415 E TARLETON	LANDERS JUSTIN D & TERESA A	535 E OXFORD ST	STEPHENVILLE	TX	76401
R000029528	345 FLORAL	LK CAPITAL INVESTMENTS LLC	159 SOUTH GRAHAM	STEPHENVILLE	TX	76401
R000029592	204 TARLETON	MUSGRAVE PATRICIA JOY	PO BOX 1830	SHALLOWATER	TX	79363
R000076795	365 FLORAL	PATEL AJAY CHAMPAKLAL & KAREN G PATEL	74041 KIMBLE CT	MONTGOMERY	TX	77316
R000029591	455 VIRGINIA	SHIPP LEE D	306 PR881	STEPHENVILLE	TX	76401-9318
R000076792	341 N FLORAL	SOUTHWESTERN RESIDENTIAL VIII, LLC	105 EAST ROAD	STEPHENVILLE	TX	76401
R000076793	349 FLORAL	TIM AND MELANIE A HORWATH LIVING TRUST	PO BOX 651	STEPHENVILLE	TX	76401
R000029328	351 E TARLETON	VANDEN BERGE KEVIN & KERI	PO BOX 2576	STEPHENVILLE	TX	76401
R000029329	291 TARLETON	WAGNER JASEN W	1505 GLENWOOD DR	STEPHENVILLE	TX	76401
R000076797	381 FLORAL	WATTS DIONNE AND DEAN WATTS	381 N FLORAL	STEPHENVILLE	TX	76401



# STAFF REPORT



**SUBJECT:** Case No.: PP2023-004

Applicant Reagan Thompson, representing TSU Catholic, LLC is requesting a preliminary plat of properties located at 1292 W Washington, Parcel R77944, being BLOCK 134; LOTS 12;18;30B;31 (PTS OF) of the CITY ADDITION, 1334 W Washington, Parcel R30249, being BLOCK 134; LOT 40, ATM MACHINE of the CITY ADDITION, 1350 W Washington, Parcel R30251, being BLOCK 134; LOTS 1;5;28 of the CITY ADDITION, 1303 McNeill, Parcel R30272, being BLOCK 134; LOT 32 of the CITY ADDITION, 1345 McNeill, Parcel R30271, being BLOCK 134; LOT 31 (\$150) of the CITY ADDITION, and 1353 McNeill, Parcel R30270, being BLOCK 134; LOT 30A of the CITY ADDITION to the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

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

## RECOMMENDATION:

Staff has the following comments in relation to the Final Plat and recommends approval with conditions as noted per the requirements of Chapter 155:

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

## BACKGROUND:

### PROPERTY PROFILE:

This property was rezoned to Planned Development in May 2023. Mr. Thompson has recently received his approved civil plan set.

The Plat has been reviewed by staff. Construction will begin very soon and approving the Final Plat with conditions will allow for a quicker transition from completion and acceptance of public improvements to the recordation of the Final Plat and issuance of the Building Permit for vertical construction.





### 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).

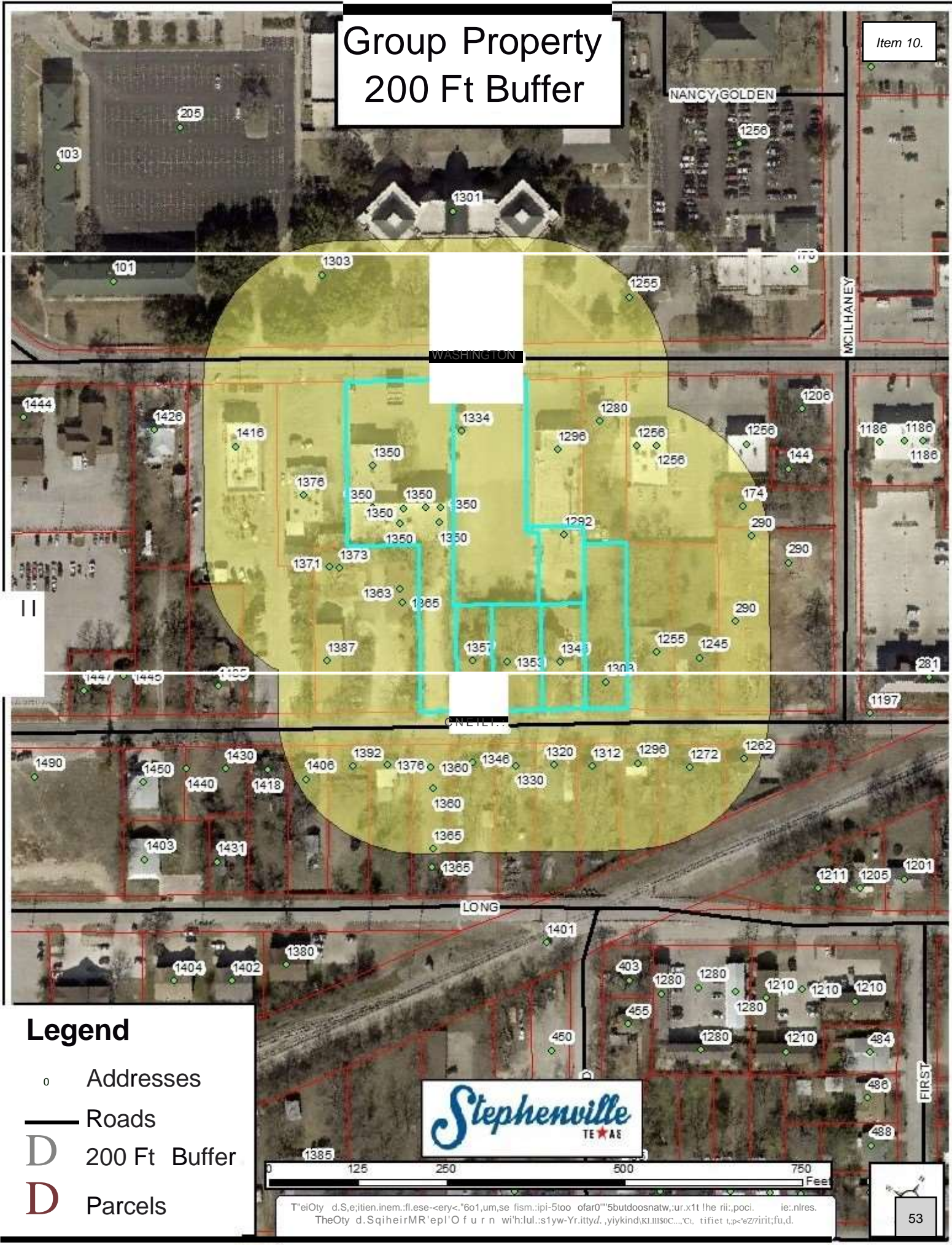


3. *Void If Not Extended.* If the Final Plat is not extended as provided in 4.06.O Final Plat Extension for Approved but not Filed Plat, it shall expire and shall become null and void.
  4. *Approved Final Plat that have been Filed (Recorded with the County).* Approved plats that have been filed with 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.

1. Approve the Final Plat.
2. Approve the Final Plat with conditions.
3. Deny the Final Plat.

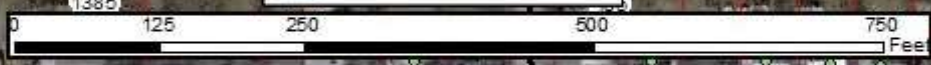
# Group Property 200 Ft Buffer

Item 10.



**Legend**

- Addresses
- Roads
- D 200 Ft Buffer
- D Parcels



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# Parcels of Interest Current Zoning - PD Planned

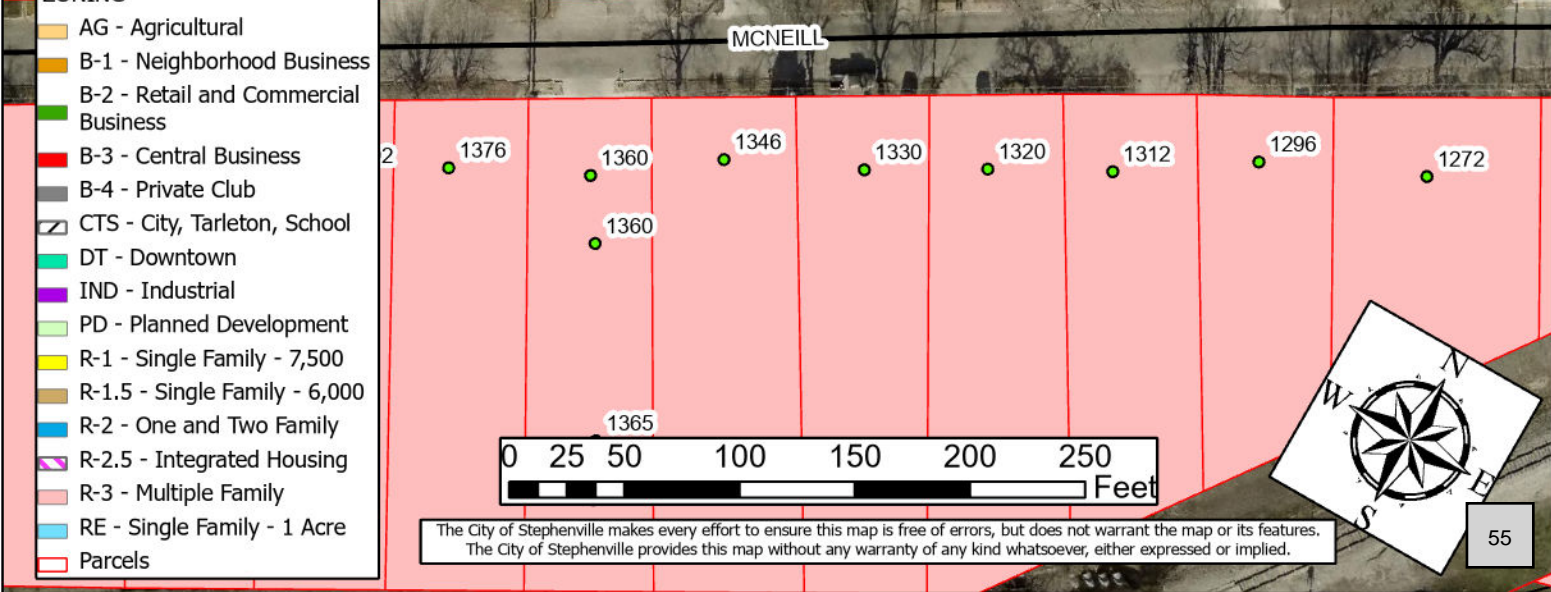
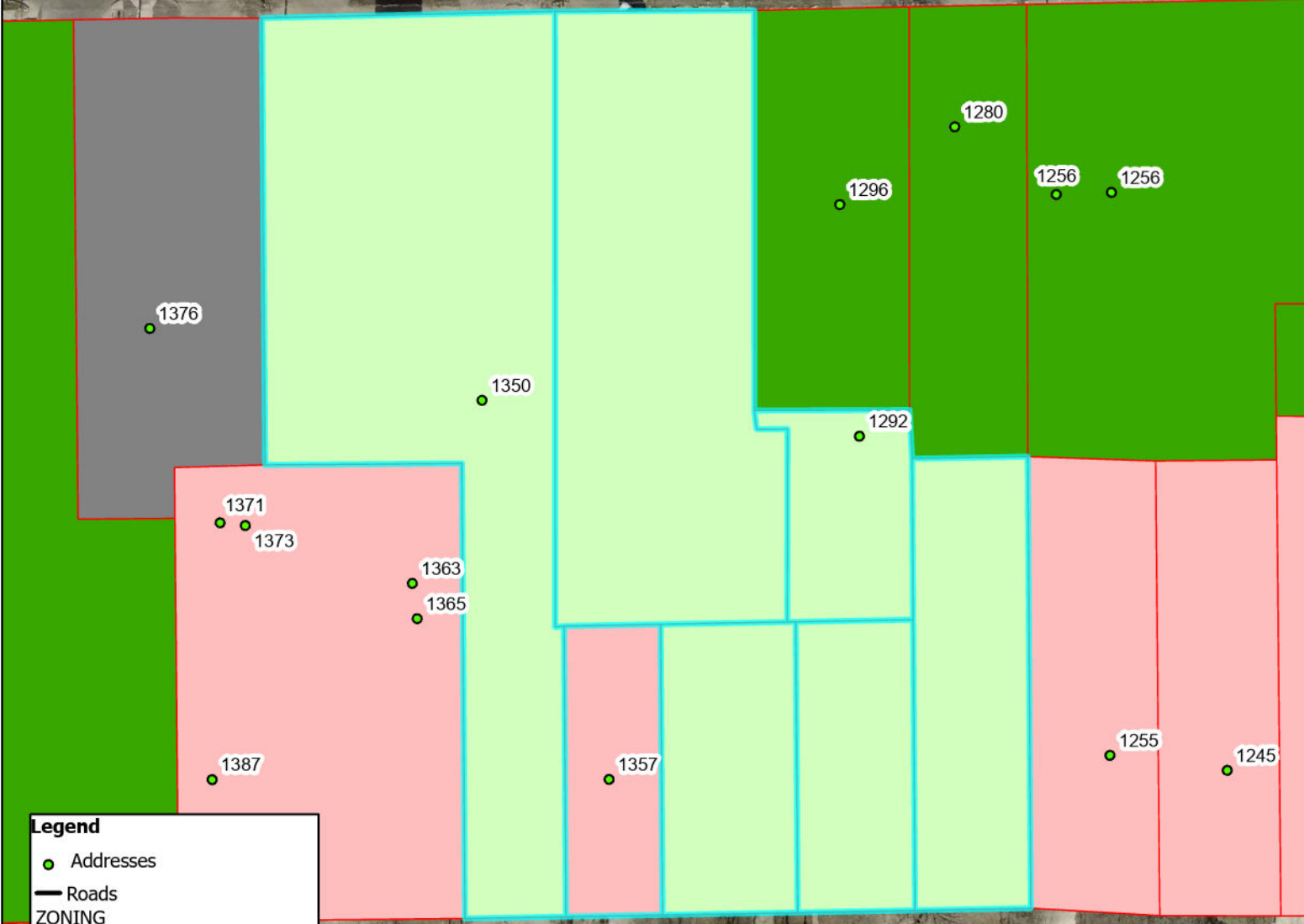
Item 10.

1303

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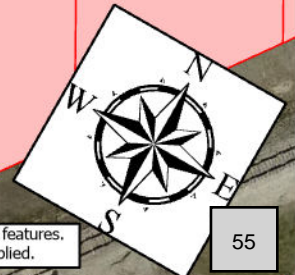
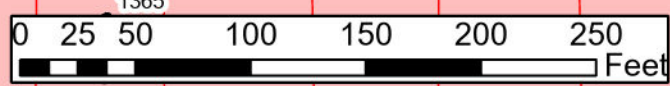
WASHINGTON

MCNEILL



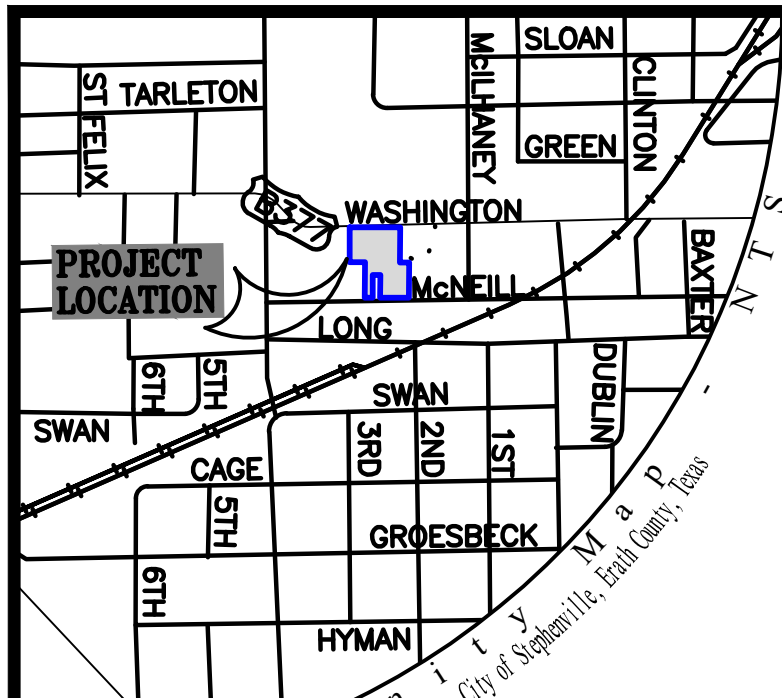
**Legend**

- Addresses
- Roads
- 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
- 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 expressed or implied.





**LEGEND:**

- BS.....Building Setback
- CIRF.....1/2" Capped Iron Rod Found Marked "PRICE SURVEYING"
- CIRS.....5/8 Inch Capped Iron Rod Found Marked "NATIVE CO., LLC"
- FCP.....Fence Corner Post
- IRF.....Iron Rod Found
- MNF.....Magnall Found
- PFC.....Point for Corner
- P.O.B.....Point of Beginning
- P.O.C.....Point of Commencement
- SAE.....Shared Access Easement
- D.R.E.C.T.....Deed Records, Erath County, Texas
- P.R.E.C.T.....Plat Records, Erath County, Texas

**NOTES:**

1. 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.
2. By scaled location of FEMA Flood Map No. 48143C0430D, effective date November 16, 2011, the subject property lies within Zone X (unshaded) - Areas determined to be outside the 0.2% annual chance floodplain.
3. This Survey Reflects the above ground indications of utilities. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service, or abandoned.
4. This plat was prepared without the benefit of a current commitment for title insurance. Additional easements and/or restrictions may affect this property.
5. All corners are 5/8 inch capped iron rods marked "NATIVE CO., LLC" unless otherwise specified.

**OWNERS CERTIFICATION:**

§ STATE OF TEXAS  
 § COUNTY OF ERATH

BEING all of Lots 1, 5, 18, 28, 30-A, 31, and 32, Block 134, City Addition, an addition to the City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas (DRECT) and being all of Lot 40, Block 134, City Addition, as shown per replat recorded in Cabinet A, Slide 279A, Plat Records, Erath County, Texas, same being all of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-02799, Real Records, Erath County, Texas (RRECT), all of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-05473, RRECT, and all of that tract of land described in the deed to Barefoot Equity Partners, LLC, as recorded in Document No. 2022-08301, RRECT, 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 iron rod found in the south right-of-way line of W. Washington St. for the northeast corner of Lot 18 and the northwest corner of Lot 33, being the northeast corner of the herein described tract;

**THENCE** South 30°03'54" East, with the common line of said Lots 18 and 33, a distance of 233.33 feet to a 1/2 inch capped iron rod found marked "PRICE SURVEYING" for the southeast corner of Lot 18 and the southwest corner of Lot 33, also being the northeast corner of Lot 32, being an inner corner of the herein described tract;

**THENCE** North 59°18'33" East, with the common line of Lots 32 and 33, a distance of 59.75 feet to a point for the northeast corner of Lot 32 being in the west line of Lot 38, from which a 3/4 inch iron rod found bears South 66°46'13" East, a distance of 1.18 feet;

**THENCE** South 30°03'54" East, with the common line of Lots 32 and 38, a distance of 233.10 feet to a point for the northeast corner of Lot 32 being in the west line of Lot 38, for the southeast corner of Lot 32 and the southeast corner of the herein described tract;

**THENCE** South 59°16'28" West, with the north right-of-way line of W. McNeil St., a distance of 190.11 feet to a 1/2 inch pipe found for the southwest corner of Lot 30-A and the southeast corner of Lot 29;

**THENCE** North 30°03'54" West, with the common line of Lots 29 and 30-A, a distance of 150.01 feet to an IRS for the northwest corner of Lot 30-A and being the northeast corner of a remainder of Lot 29, also being in the south line of Lot 40;

**THENCE** South 59°16'28" West, with the south line of Lot 40, a distance of 49.92 feet to a railroad spike found for the northwest corner of the remainder of Lot 29 and being in the east line of Lot 28 for an inner corner of the herein described tract;

**THENCE** South 30°03'54" East, with the common line of Lots 28 and 29, a distance of 150.01 feet to a 3/8 inch iron rod found in the north right-of-way line of W. McNeil St. for the southeast corner of Lot 28;

**THENCE** South 59°16'28" West, with the north right-of-way line of W. McNeil St., a distance of 52.13 feet to a 1/2 inch capped iron rod found marked "PRICE SURVEYING" for the southwest corner of Lot 28 and the southeast corner of Lot 27, being southernmost southwest corner of the herein described tract;

**THENCE** North 30°03'54" East, with the common line of Lots 27 and 28, a distance of 234.96 feet to a 2.5 inch pipe fence corner post for the northwest corner of Lot 28 and being in the south line of Lot 1;

**THENCE** South 59°16'28" West, a distance of 101.54 feet to a magnall found for the southwest corner of Lot 5 and the southeast corner of Lot 6, being the westernmost southwest corner of the herein described tract;

**THENCE** North 30°05'56" West, with the common line of Lots 5 and 6, a distance of 230.67 feet to a 3/8 inch iron rod found in the south right-of-way line of W. Washington St. for the northwest corner of Lot 5;

**THENCE** North 59°18'33" East, with the south right-of-way line of W. Washington St., a distance of 334.09 feet to the **POINT OF BEGINNING** and containing 3.176 Acres of Land.

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

THAT, **BAREFOOT EQUITY PARTNERS, LLC AND TSU CATHOLIC, LLC**, acting by and through the undersigned, their duly authorized agents, does hereby adopt this plat designating the herein above described real property as **LOTS 40R & 41R, BLOCK 134, CITY ADDITION**, 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, 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 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.

Barefoot Equity Partners, 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 the State of Texas My commission expires \_\_\_\_\_

TSU Catholic, 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 the State of Texas My commission expires \_\_\_\_\_

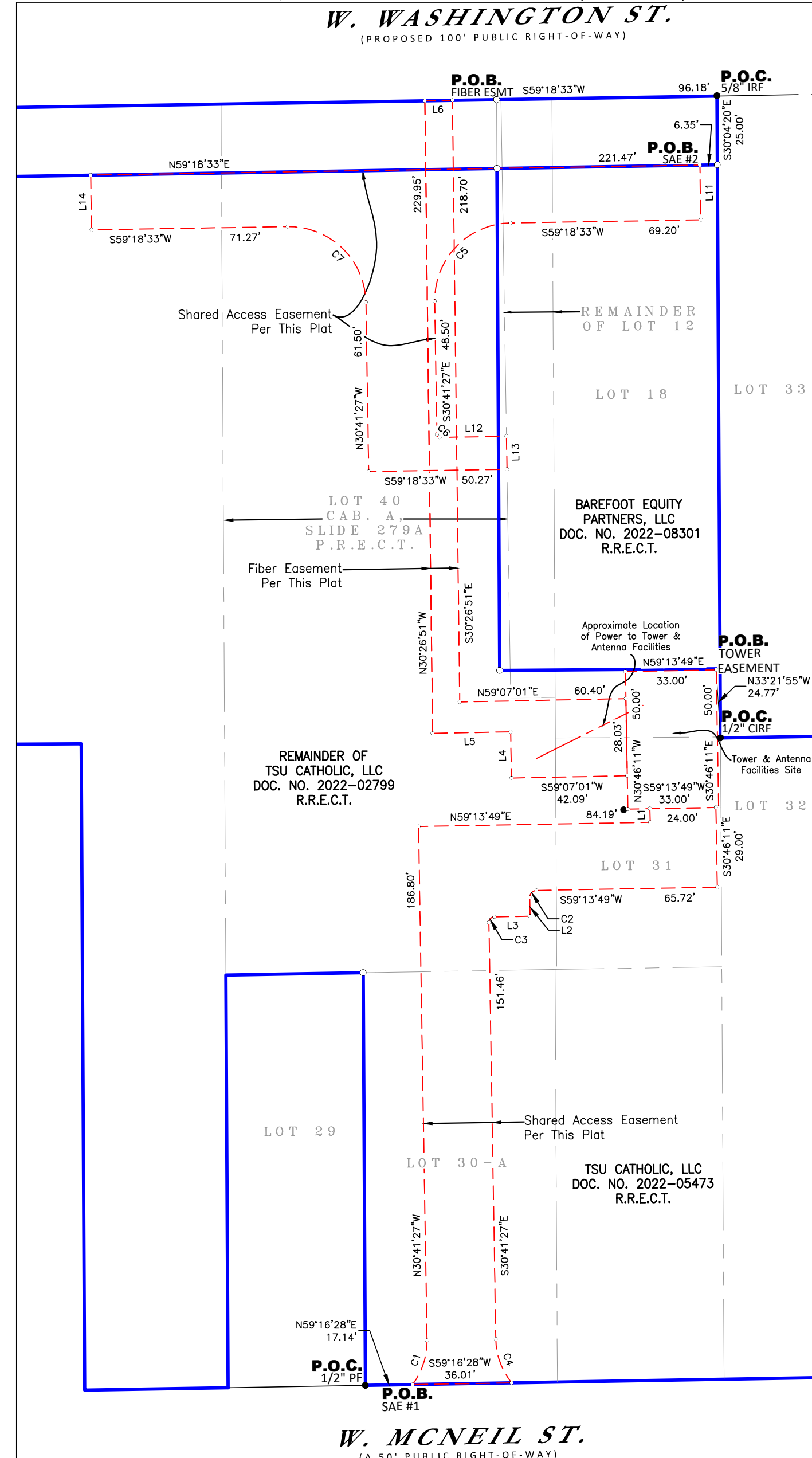
**SURVEYOR'S CERTIFICATION:**

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 plotting 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: 12-13-2023

N. Zane Griffin, RPLS No. 6810  
 Date: December 13, 2023

**SHARED ACCESS EASEMENTS & FIBER, TOWER & ANTENNA EASEMENT DETAIL: (SCALE: 1"=40')**



**SHARED ACCESS #1 EASEMENT DESCRIPTION:**

BEING a tract of land in Lots 12, 18, 30-A and 31, Block 134 City Addition, City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas (DRECT) and a portion of Lot 40 of said Block 134 of said City Addition, as shown per the replat recorded in Cabinet A, Slide 279A, Plat Records, Erath County, Texas, same being a portion of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-02799, Real Records, Erath County, Texas (RRECT), 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).

**COMMENCING** at a 1/2 pipe found in the north line of W. McNeil St. for southwest corner of Lot 30-A and the southeast corner of Lot 29;

**THENCE** North 59°16'28" East, a distance of 17.14 feet to a point for the **POINT OF BEGINNING** and the southeast corner of this tract;

**THENCE** departing the north line of W. McNeil St. and over and across said TSU Catholic tract, the following courses and distances:

- With a curve to the left, with a radius of 26.00 feet and a chord which bears North 11°43'06" West, a distance of 16.91 feet; through a central angle of 37°56'43", an arc distance of 17.22 feet to a point;
- North 30°41'27" West, a distance of 186.80 feet to a point for corner;
- North 59°13'49" East, a distance of 84.19 feet to a point for corner;
- North 30°46'11" West, a distance of 5.00 feet to a point for corner;
- North 59°13'49" East, a distance of 24.00 feet to a point for corner;
- South 30°46'11" East, a distance of 29.00 feet to a point for corner;
- South 59°13'49" West, a distance of 65.72 feet to a point for the beginning of a curve to the left, with a radius of 2.50 feet, and a chord which bears South 14°16'11" West, a distance of 3.53 feet;
- With said curve to the left, through a central angle of 89°55'16", an arc distance of 3.92 feet to a point;
- North 30°41'27" East, a distance of 6.85 feet to a point;
- South 59°18'33" West, a distance of 13.00 feet to a point for the beginning of a curve to the left, with a radius of 2.00 feet, and a chord which bears South 14°18'33" West, a distance of 2.83 feet;
- With said curve to the left, with a central angle of 90°00'00", an arc distance of 3.14 feet to a point;
- South 30°41'27" East, a distance of 151.46 feet to a point for the beginning of a curve to the left, with a radius of 26.00 feet, and a chord which bears South 49°41'53" East, a distance of 16.94 feet;
- With said curve to the left, through a central angle of 38°00'52", an arc distance of 17.25 feet to a point in the north line of W. McNeil St. for the southeast corner of this tract;

**THENCE** South 59°16'28" West, a distance of 36.01 feet to the **POINT OF BEGINNING** and containing 7.385 Square Feet or 0.170 of an Acre of Land.

**SHARED ACCESS #2 EASEMENT DESCRIPTION:**

BEING a tract of land in Lots 12 and 18, Block 134 City Addition, City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas (DRECT) and a portion of Lot 40 of said Block 134 of said City Addition, as shown per the replat recorded in Cabinet A, Slide 279A, Plat Records, Erath County, Texas, same being a portion of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-02799, Real Records, Erath County, Texas (RRECT), 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).

**COMMENCING** at a 5/8 inch iron rod found in the south line of W. Washington St. for the northeast corner of Lot 18 and the northwest corner of Lot 33, also being the northeast corner of said TSU Catholic tract and the northeast corner of said Barefoot Equity tract;

**THENCE** South 30°03'54" East, with the east line of said Barefoot Equity tract, a distance of 25.00 feet to a 5/8 inch capped iron rod set marked "NATIVE CO., LLC" (IRS) for the southeast corner of a 25 feet wide right-of-way tract as shown per this plat;

**THENCE** South 59°18'33" West, over and across said Barefoot Equity tract and with the south line of the new right of way line, a distance of 6.35 feet to a point for the **POINT OF BEGINNING** and the northeast corner of this tract;

- THENCE** South 30°41'27" East, over and across said Barefoot Equity tract, a distance of 19.91 feet to a point for corner;
- THENCE** South 59°18'33" West, continuing over and across said Barefoot Equity tract, a distance of 69.20 feet to a point for the beginning of a curve to the left, with a radius of 28.00 feet, and a chord which bears South 14°18'33" East, a distance of 39.60 feet;
- With said curve to the left, over and across said Barefoot Equity tract and Tarleton Catholic, LLC tract, through a central angle of 90°00'00", an arc distance of 43.98 feet to a point for corner;
- THENCE** South 30°41'27" East, continuing over and across said Tarleton Catholic, LLC tract, a distance of 48.50 feet to a point for the beginning of a curve to the left, with a radius of 1.00 feet, and a chord which bears South 75°41'27" East, a distance of 1.41 feet;
- With said curve to the left, through a central angle of 90°00'00", an arc distance of 1.57 feet to a point for corner;
- THENCE** North 59°18'33" East, passing the west line of said Barefoot Equity tract at a distance of 21.36 feet, continuing over and across said Barefoot Equity tract for a total distance of 24.27 feet to a point for corner;
- THENCE** South 30°41'27" East, continuing over and across said Barefoot Equity tract, a distance of 12.00 feet to a point for the southeast corner of this tract;
- THENCE** South 59°18'33" West, passing the west line of said Barefoot Equity tract at a distance of 3.04 feet, continuing over and across said Tarleton Catholic, LLC tract for a total distance of 50.27 feet to a point for the southwest corner of this tract;
- THENCE** continuing over and across said Tarleton Catholic, LLC tract, the following courses and distances:
  - North 30°41'27" West, a distance of 61.50 feet to a point for the beginning of a curve to the left, with a radius of 28.00 feet, and a chord which bears North 75°41'27" West, a distance of 39.60 feet;
  - With said curve to the left, through a central angle of 90°00'00", an arc distance of 43.98 feet to a point for corner;
  - North 30°41'27" East, a distance of 12.00 feet to a point in the aforementioned new south right of way line of W. Washington St. for the northwest corner of this tract;
- THENCE** North 59°18'33" East, with said new south right of way line, a distance of 221.47 feet to the **POINT OF BEGINNING** and containing 7.286 Square Feet or 0.167 of an Acre of Land.

**TOWER & ANTENNA SITE FACILITIES SITE DESCRIPTION:**

BEING a tract of land in Lots 18 and 31, Block 134 City Addition, City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas (DRECT), same being a portion of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-02799, Real Records, Erath County, Texas (RRECT), 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).

**COMMENCING** at a 1/2 inch iron rod found for the southeast corner of Lot 18 and the northeast corner of Lot 31;

**THENCE** North 33°21'55" West, a distance of 24.77 feet to the **POINT OF BEGINNING** and being the northeast corner of this tract;

**THENCE** South 30°46'11" East, a distance of 50.00 feet to a point for corner;

**THENCE** South 59°13'49" West, a distance of 33.00 feet to a point for corner;

**THENCE** North 30°46'11" West, a distance of 5.00 feet to a point for corner;

**THENCE** North 59°13'49" East, a distance of 33.00 feet to the **POINT OF BEGINNING** and containing 1,650 Square Feet or 0.038 of an Acre of Land.

**FIBER EASEMENT DESCRIPTION:**

BEING a tract of land in Lots 12 and 18, Block 134 City Addition, City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas (DRECT) and a portion of Lot 40 of said Block 134 of said City Addition, as shown per the replat recorded in Cabinet A, Slide 279A, Plat Records, Erath County, Texas, same being a portion of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-02799, Real Records, Erath County, Texas (RRECT), 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).

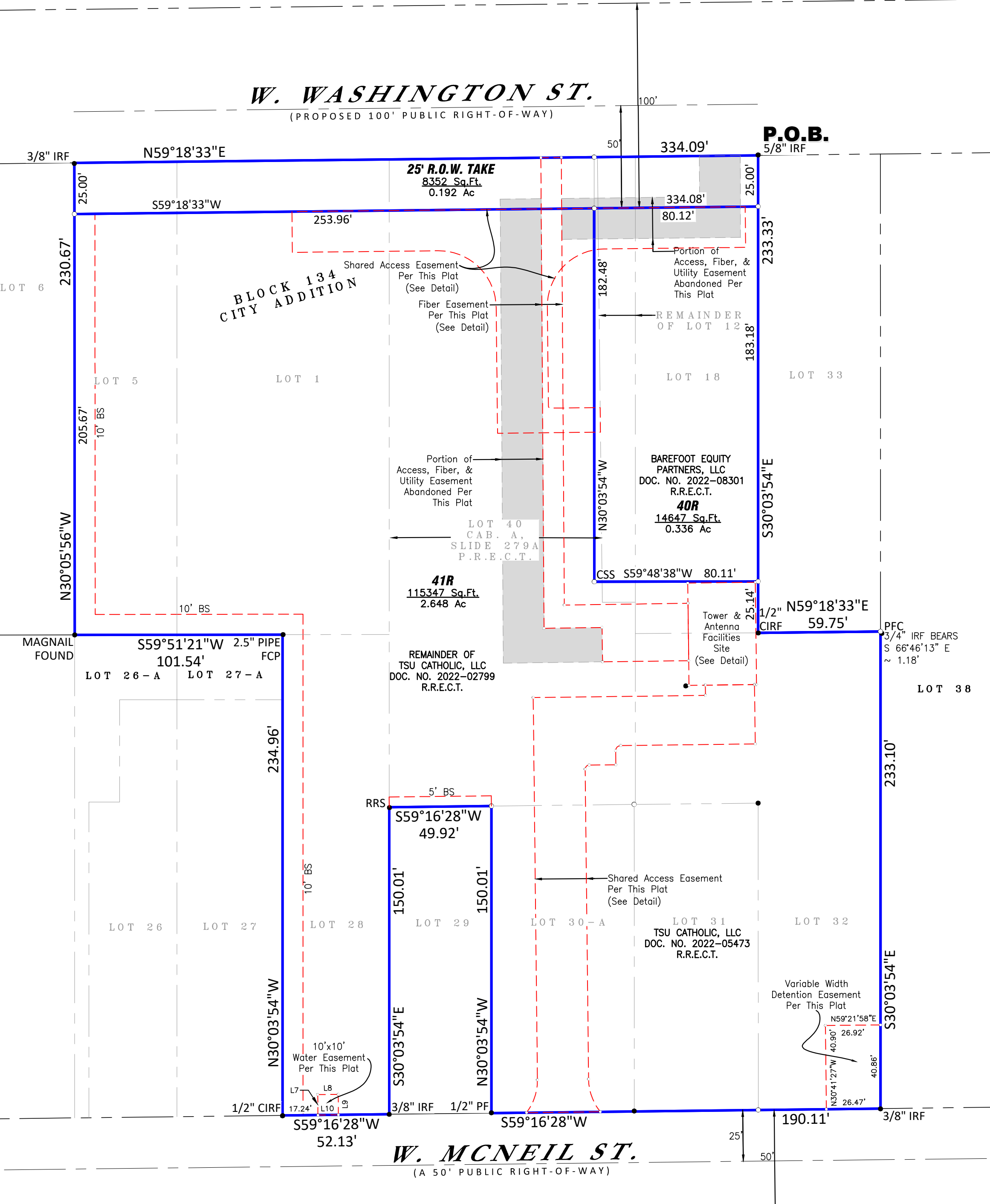
**COMMENCING** at a 5/8 inch iron rod found in the south line of W. Washington St. for the northeast corner of Lot 18 and the northwest corner of Lot 33, also being the northeast corner of said TSU Catholic tract;

**THENCE** South 59°18'33" West, with the south line of W. Washington St., a distance of 96.18 feet to a point for northeast corner of this tract and the **POINT OF BEGINNING**;

**THENCE** departing the south line of W. Washington St. over and across said TSU Catholic tract, the following courses and distances:

- South 30°26'51" East, a distance of 218.70 feet to a point for corner;
- North 59°07'01" East, a distance of 60.40 feet to a point for corner;
- South 30°46'11" East, a distance of 28.03 feet to a point for corner;
- South 59°07'01" West, a distance of 42.09 feet to a point for corner;
- North 30°26'51" East, a distance of 16.81 feet to a point for corner;
- South 59°07'01" West, a distance of 28.36 feet to a point for corner;
- North 30°26'51" West, a distance of 229.95 feet to a point in the south line of W. Washington St. for the northwest corner of this tract;

**THENCE** North 59°18'33" East, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 3,684 Square Feet or 0.085 of an Acre of Land.



**TOWER & ANTENNA SITE FACILITIES SITE DESCRIPTION:**

BEING a tract of land in Lots 18 and 31, Block 134 City Addition, City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas (DRECT), same being a portion of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-02799, Real Records, Erath County, Texas (RRECT), 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).

**COMMENCING** at a 1/2 inch iron rod found for the southeast corner of Lot 18 and the northeast corner of Lot 31;

**THENCE** North 33°21'55" West, a distance of 24.77 feet to the **POINT OF BEGINNING** and being the northeast corner of this tract;

**THENCE** South 30°46'11" East, a distance of 50.00 feet to a point for corner;

**THENCE** South 59°13'49" West, a distance of 33.00 feet to a point for corner;

**THENCE** North 30°46'11" West, a distance of 5.00 feet to a point for corner;

**THENCE** North 59°13'49" East, a distance of 33.00 feet to the **POINT OF BEGINNING** and containing 1,650 Square Feet or 0.038 of an Acre of Land.

**FIBER EASEMENT DESCRIPTION:**

BEING a tract of land in Lots 12 and 18, Block 134 City Addition, City of Stephenville, Erath County, Texas, as shown per King's 1956 Map of the City of Stephenville, as recorded in Volume 381, Page 105, Deed Records, Erath County, Texas (DRECT) and a portion of Lot 40 of said Block 134 of said City Addition, as shown per the replat recorded in Cabinet A, Slide 279A, Plat Records, Erath County, Texas, same being a portion of that tract of land described in the deed to TSU Catholic, LLC, as recorded in Document No. 2022-02799, Real Records, Erath County, Texas (RRECT), 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).

**COMMENCING** at a 5/8 inch iron rod found in the south line of W. Washington St. for the northeast corner of Lot 18 and the northwest corner of Lot 33, also being the northeast corner of said TSU Catholic tract;

**THENCE** South 59°18'33" West, with the south line of W. Washington St., a distance of 96.18 feet to a point for northeast corner of this tract and the **POINT OF BEGINNING**;

**THENCE** departing the south line of W. Washington St. over and across said TSU Catholic tract, the following courses and distances:

- South 30°26'51" East, a distance of 218.70 feet to a point for corner;
- North 59°07'01" East, a distance of 60.40 feet to a point for corner;
- South 30°46'11" East, a distance of 28.03 feet to a point for corner;
- South 59°07'01" West, a distance of 42.09 feet to a point for corner;
- North 30°26'51" East, a distance of 16.81 feet to a point for corner;
- South 59°07'01" West, a distance of 28.36 feet to a point for corner;
- North 30°26'51" West, a distance of 229.95 feet to a point in the south line of W. Washington St. for the northwest corner of this tract;

**THENCE** North 59°18'33" East, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 3,684 Square Feet or 0.085 of an Acre of Land.

**LINE DATA TABLE**

NO.	BEARING	DIST
L1	N30°46'11"W	5.00'
L2	S30°41'27"E	6.85'
L3	S59°18'33"W	13.00'
L4	N30°52'59"W	16.81'
L5	S59°07'01"W	28.36'
L6	N59°18'33"E	10.00'
L7	N30°26'29"W	10.02'
L8	N59°33'31"E	10.00'
L9	S30°26'29"E	9.98'
L10	S59°16'28"W	10.00'
L11	S30°41'27"E	19.91'
L12	N59°18'33"E	24.27'
L13	S30°41'27"E	12.00'
L14	N30°41'27"W	19.91'

**CURVE DATA TABLE**

NO.	DELTA	RADIUS	ARC DIST	CHORD BEARING	CHORD DIST
C1	37°56'43"	26.00'	17.22'	N11°43'06"W	16.91'
C2	89°55'16"	2.50'	3.92'	S14°16'11"W	3.53'
C3	90°00'00"	2.00'	3.14'	S14°18'33"W	2.83'
C4	38°00'52"	26.00'	17.25'	S49°41'53"E	16.94'
C5	90°00'00"	28.00'	43.98'	S14°18'33"W	39.60'
C6	90°00'00"	1.00'	1.57'	S75°41'27"E	1.41'
C7	90°00'00"	28.00'	43.98'	N75°41'27"W	39.60'

**FINAL PLAT**  
**LOTS 40R & 41R, BLOCK 134**  
**CITY ADDITION**  
 AN ADDITION TO THE CITY OF STEPHENVILLE,  
 ERATH COUNTY, TEXAS, AS SHOWN PER KING'S 1956 MAP  
 OF THE CITY OF STEPHENVILLE, AS RECORDED IN VOLUME 381,  
 PAGE 105, DEED RECORDS, ERATH COUNTY, TEXAS

I, Gwinda Jones, Clerk of the County Court of Erath County, Texas, 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 \_\_\_\_\_ Document No. \_\_\_\_\_, Slide \_\_\_\_\_, Cabinet \_\_\_\_\_.

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

ACCEPTED AND APPROVED:  
 DIRECTOR OF PLANNING AND DEVELOPMENT  
 CITY SECRETARY  
 DATE



# STAFF REPORT



**SUBJECT:** Case No.: SV2023-003

Applicant Niraj Patel, representing DNJ's Investment, LLC, is requesting an appeal for a Subdivision Waiver denial regarding Section 155.6.11 – Sidewalk Requirements, to be constructed at 3015 Northwest Loop, Parcel R63719, Acres 2.730, S2600 CITY ADDITION,, BLOCK 161,, LOT 1; of the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

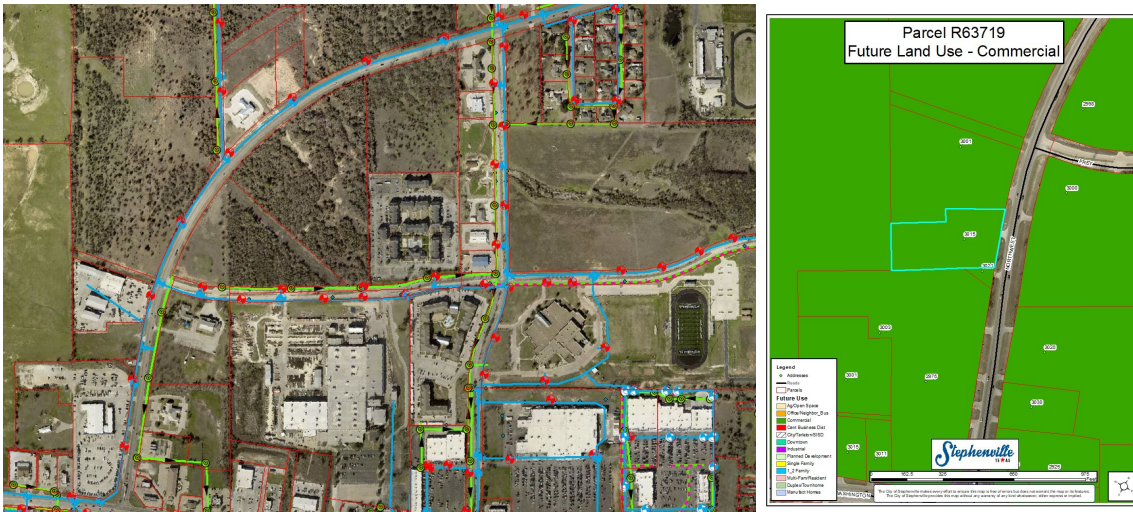
**STAFF CONTACT:** Steve Killen

## RECOMMENDATION:

To deny the appeal based on the requirements set forth by the Subdivision Ordinance.

## BACKGROUND:

On October 9, 2023, Niraj Patel representing DNJ Investment, LLC submitted Minor Subdivision Waiver requests from Subdivision Ordinance Sec. 155.6.11. – Sidewalks and Sec. 155.6.04(M) – Curb & Gutter. On October 19, 2023, Mr. Patel was informed that the Curb and Gutter waiver request was approved, but the Sidewalk waiver request was denied. Subsequently on November 21, 2023, Mr. Patel submitted a letter to the City Manager requesting an appeal to the Minor Subdivision Waiver denial. Section (J) of the Sidewalk Subdivision Ordinance Sec. 155.6.11. allows for an appeal to be submitted within thirty (30) calendar days following the denial decision.



## SUBDIVISION ORDINANCE/SIDEWALKS

Sec. 155.6.11. - Sidewalks.

- A. *Sidewalks and Pedestrian ways are required as a part of Subdivision Plat approval to help the City achieve the following:*
- Promote the mobility, health, safety, and welfare of residents, property owners, and visitors to the City and to implement objectives and strategies of the Comprehensive Plan,

2. Improve the safety of walking by providing separation from motorized transportation and improving travel surfaces for pedestrians,
3. Improve public welfare by providing an alternate means of access to transportation and social interaction, especially for children, other citizens without personal vehicles, or those with disabilities, and
4. Facilitate walking as a means of physical activity recognized as an important provider of health benefits.

**B. Sidewalk Location and Design.**

1. Sidewalks shall be constructed for both sides of all streets within the Subdivision.
2. Sidewalks shall be constructed along all lots adjoining dedicated streets, along Major Arterial/Thoroughfare Streets where lots do not adjoin the street, across power line easements and in other areas where pedestrian walkways are necessary.
3. Routing to clear poles, trees or other obstacles shall be subject to City Administrator approval.
4. The Plat or Construction Plans shall show the location of all proposed sidewalks and shall state at what stage of the project they will be constructed.
5. All sidewalks shall conform to Federal Americans with Disabilities Act (ADA) requirements and barrier-free ramps should be provided for access to the street.

**C. Sidewalk General Construction.**

1. Sidewalks shall be constructed by Class "A" concrete and shall have a width of not less than five (5) feet and a minimum thickness of four (4) inches.
2. Sidewalks along Major Arterial/Thoroughfare Streets shall be no less than six feet (6') in width.
3. Sidewalks adjacent to screening and retaining walls shall be five (5) feet in width and shall abut the wall, eliminating the landscape area found along the wall, thereby reducing maintenance.
4. Sidewalks shall be constructed one foot (1') from the property line within the street or Major Arterial/Thoroughfare Street Right-of-Way and shall extend along the full street frontage including both sides of corner lots and block ends.
5. Construction of sidewalks adjacent to curbs will be considered where driveway entrances are constructed from the rear of lots on each side of the street for the full length of the block or where mountable curbs are installed. In these instances, the sidewalks shall be a minimum of five feet (6') wide.
6. Sidewalk construction may be delayed until development of lots, but in locations not adjacent to lots and across bridges and culverts, the sidewalk shall be constructed with the other improvements to the Subdivision.

- D. Sidewalks in Nonresidential Areas.** Sidewalks in nonresidential areas shall be a minimum width of five feet (6') or extend from the back of the curb to the building line as required by the City.

**Sec. 155.7.01. Petition for subdivision waiver.**

**3. Waiver from the Requirements for Sidewalks, Curbs, and/or Gutters.**

- a. The City Manager, Assistant City Manager, and the Director of Development Services are authorized to grant waivers for Sidewalks, Curbs, and/or Gutters under the following conditions:
  - i. The property was platted prior to March 1, 2021; and
  - ii. The property is located outside of the City of Stephenville's Sidewalk Improvement Area as defined in Resolution No. 2019-R-05.
- b. Waivers requested that do not qualify under the conditions outlined in Section 3.a. above must follow the procedure for a Major Subdivision Waiver.



- c. Applicants whose request for waiver is denied by the City Manager, Assistant City Manager, or the Director of Development Services may appeal this decision. Appeals under Section 3 will follow the procedures for appealing a Minor Subdivision Waiver as set forth in Section J.
- d. All approved waivers require the payment of a fee equal to 25% of the total improvement cost as determined by the city's current bid contract for such improvements. Fees collected will be dedicated to the City's Sidewalk Cost Share Program.

J. *Minor Subdivision Waiver Appeal.*

1. *Initiation of an Appeal.*

- a. The Applicant may appeal a Minor Subdivision Waiver decision of the City Administrator, as allowed within the Subdivision Ordinance.
- b. The written request to appeal shall be submitted to the City Administrator within thirty (30) calendar days following the denial decision.

2. *Recommendation of the Planning and Zoning Commission.*

- a. The Commission shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the notice of appeal is submitted to the City Administrator.
- b. At this meeting, new information may be presented and considered, if available, that might alter the previous decision to deny the Minor Subdivision Waiver.
- c. The Commission shall recommend to the City Council to affirm, modify or reverse the previous decision by simple majority vote.

3. *Appeal to City Council.*

- a. The Applicant may appeal the Commission's decision by submitting a written notice of appeal to the City Administrator within thirty (30) calendar days following the Commission's decision.
- b. After the recommendation from the Commission has been made, the City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
- c. The City Council may affirm, modify or reverse the decision by simple majority vote.
- d. 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 proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?

**ALTERNATIVES**

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

# Parcel R63719 200 ft Buffer



**Legend**

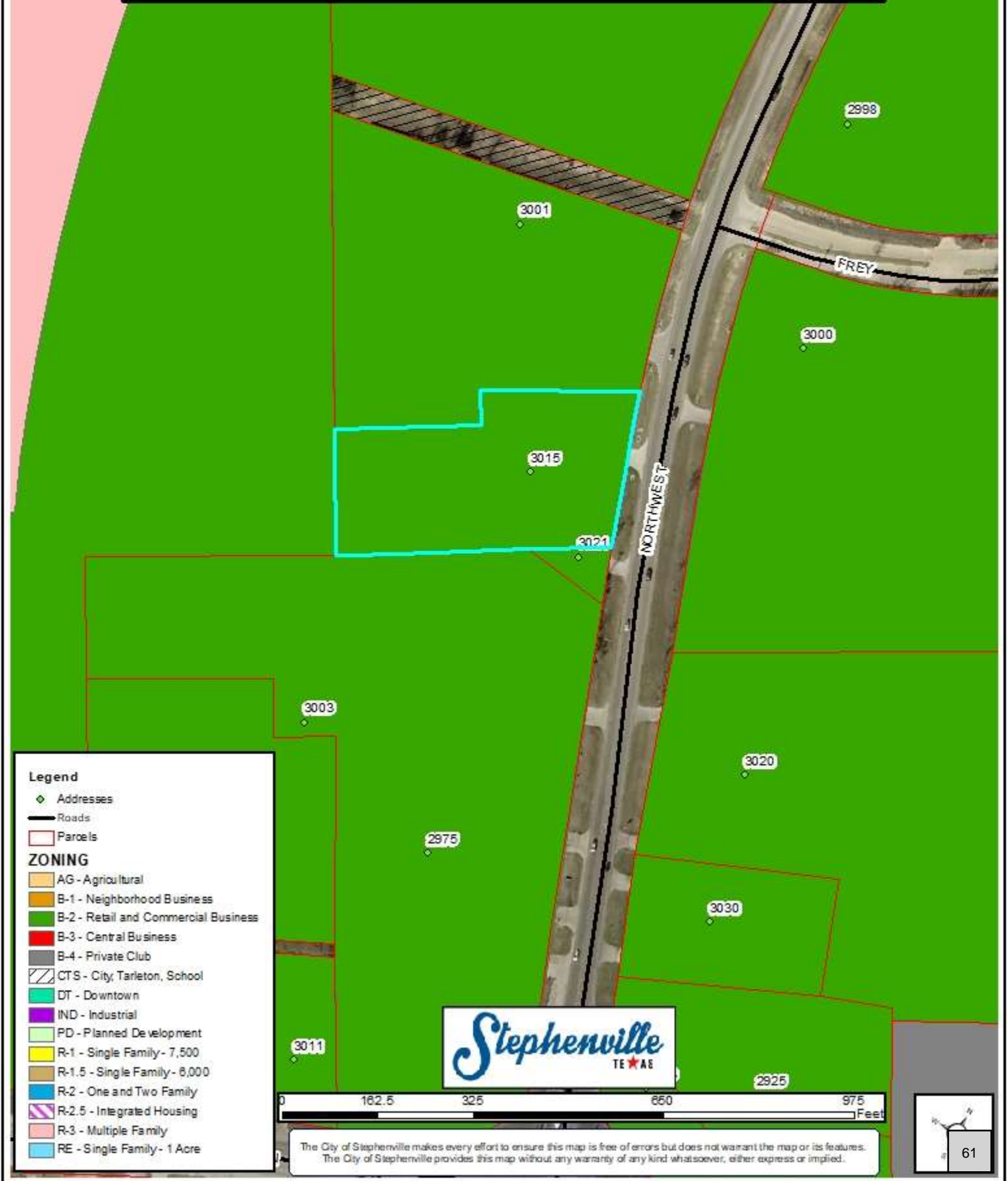
- ◆ Addresses
- Roads
- R63719 Buffer
- Parcels



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 R63719 Current Zoning B2- Retail & Commercial



**Legend**

- ◆ Addresses
- Roads
- Parcels

**ZONING**

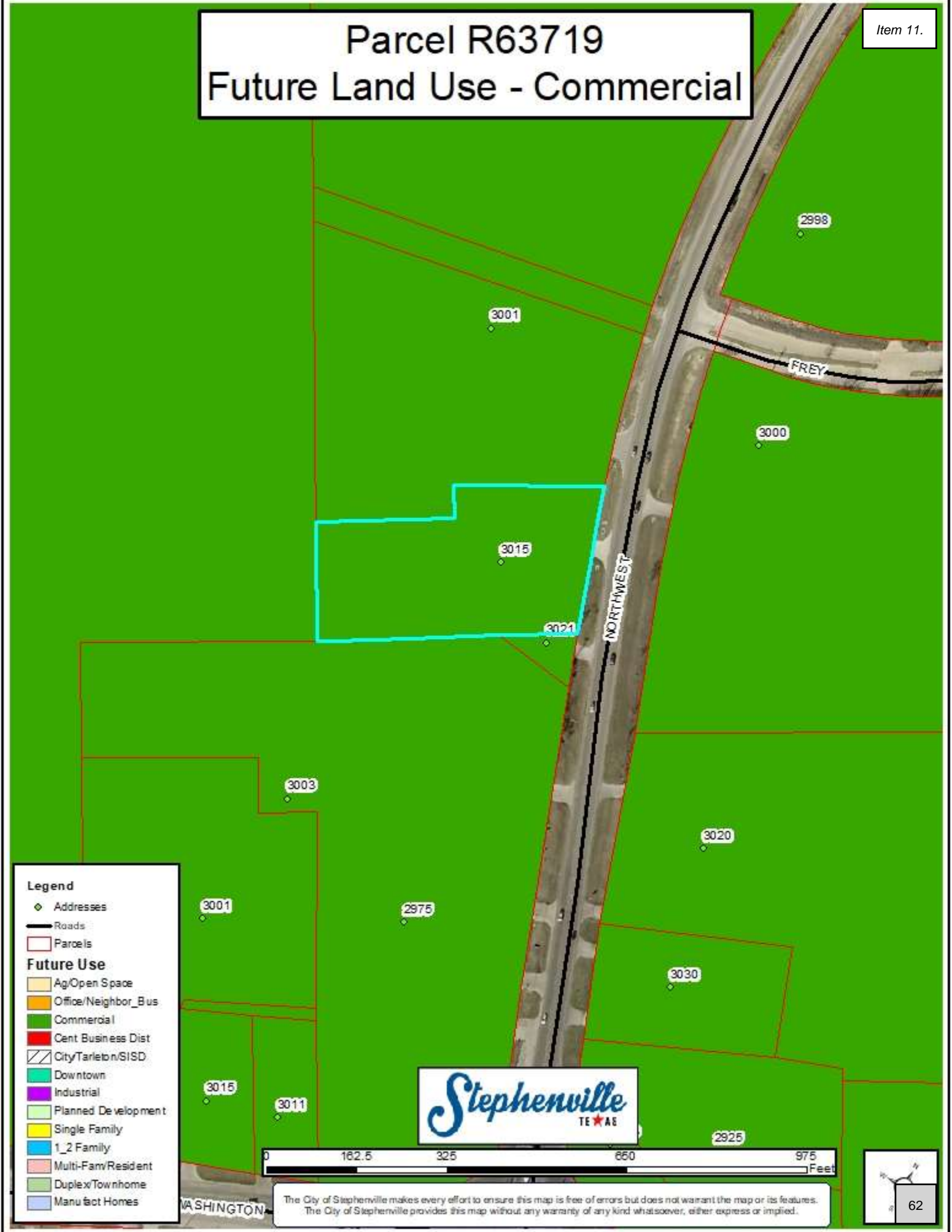
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tarleton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One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



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# Parcel R63719 Future Land Use - Commercial

Item 11.



**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 R63719 Water & Sewer Utilities

Item 11.



## Legend

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



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## Parcel R63719 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000063719	3015 NORTHWEST LOOP	DNJ INVESTMENT, LLC	1720 10TH ST	FLORESVILLE	TX	78114-2764
R000062656	3000 NORTHWEST LOOP	FAITH LUTHERAN CHURCH OF S VILLE	3000 N W LOOP	STEPHENVILLE	TX	76401-0000
R000040121	2975 W WASHINGTON	GILCHRIST CHARLES W AND	3000 FORT WORTH HWY	HUDSON OAKS	TX	76087
R000063721	3001 NORTHWEST LOOP	MCCOY INVESTMENTS	PO BOX 1028	SAN MARCOS	TX	78667-1028
R000040118	3021 NORTHWEST LOOP	UNITED TELEPHONE OF TEXAS INC	5454 WEST 100TH ST	OVERLAND PARK	KS	66211
R000067066	0 W WASHINGTON	WHITEFIELD DONNA & LINDA HARDIN LIVING TRUST	23002 RED RIVER DR	KATY	TX	77450



Niraj Patel  
DNJ'S Investment, LLC  
1720 10<sup>th</sup> Street  
Floresville, TX 78114

November 21, 2023

Jason King  
City Manager  
City of Stephenville  
298 W. Washington Street  
Stephenville, TX 76401

Dear Mr. King,

I am writing to request an appeal to a Minor Subdivision Waiver decision on our recent request for a waiver for sidewalk construction at our property being developed at 3015 Northwest Loop, Stephenville, TX 76401

The reason we are requesting a waiver is, currently the properties on either side don't have a sidewalk in place (exhibit 1) and since they are already developed, we do not anticipate the owner's building sidewalks on their properties plus there are no retail businesses close by that someone would need to walk frequently. Also, we see this as a hazard as someone would try to walk on a small portion and then would not have a proper path to walk on. Since the property falls outside the designated sidewalk improvement area, we see this as an undue burden on us.

We appreciate your consideration of this request. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Niraj Patel