



PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington
Wednesday, December 18, 2024 at 5:30 PM

AGENDA

CALL TO ORDER

CITIZENS GENERAL DISCUSSION

MINUTES

Consider Approval of Minutes from November 20, 2024

- [1.](#) Consider Approval of Meeting Minutes from November 20, 2024

REGULAR AGENDA

- [2.](#) **Case No.: PP2024-005**

Applicant Reece Flanagan, representing Erath County Habitat for Humanity, is requesting approval of a Preliminary Plat with simultaneous rezoning from B-2, Retail and Commercial, to R-2.5, Integrated Housing, of property located at 0 S. Drew, Parcel R78511, being BLK. 75, LOT 19, and Parcel R29797, being BLK. 75, LOT 18, of the CITY ADDITION to the City of Stephenville, Erath County, Texas.

- 3. PUBLIC HEARING**

Case No.: PP2024-005

4. Consider approval of a Preliminary Plat with simultaneous rezoning from B-2, Retail and Commercial, to R-2.5, Integrated Housing, of property located at 0 S. Drew, Parcel R78511, being BLK. 75, LOT 19, and the rezoning of a portion of Parcel R29797, being BLK. 75, LOT 18, of the CITY ADDITION to the City of Stephenville, Erath County, Texas.

- [5.](#) **Case No.: RP2024-005**

Applicant Pat Dial, representing AMISTAD DQ COMPANY, LTD., is requesting a Replat of property located at 703 E South Loop, Parcel R29786, being BLOCK 75, LOT 1B of the S2600 CITY ADDITION to the City of Stephenville, Erath County, Texas.

- 6. PUBLIC HEARING**

Case No.: RP2024-005

7. Consider approval of a Replat of property located at 703 E South Loop, Parcel R29786, being BLOCK 75, LOT 1B of the S2600 CITY ADDITION to the City of Stephenville, Erath County, Texas.

- [8.](#) **Case No.: RP2024-006**

Applicant Beau Mayo, representing Erath Capital investments, LLC., is requesting a replat of properties located at 1275 N Ivy, Parcel R28919, being BLK. 8, LOT 1 & 2 (W70 OF 1 & 2), 370 E Elm, Parcel R28920, BLK. 8, LOT 1&2 (E70);, 1983 14X60 MH, BRECK, TEX0164537, 05094, 1273 Ivy, Parcel R28921, BLK. 8, LOTs 3,4,5,6,7,8 & MH, Parcel R78019, BLK. 8; 20' Alley and Parcel R29961 of the S2400 CAGE ADDITION and Parcel R29961, being BLK. 92; LOT 3 (E PT OF) of the S2600 CITY ADDITION to the City of Stephenville, Erath County, Texas.

9. PUBLIC HEARING

Case No.: RP2024-006

10. Consider approval of a Replat of properties located at 1275 N Ivy, Parcel R28919, being BLK. 8, LOT 1 & 2 (W70 OF 1 & 2), 370 E Elm, Parcel R28920, BLK. 8, LOT 1&2 (E70);, 1983 14X60 MH, BRECK, TEX0164537, 05094, 1273 Ivy, Parcel R28921, BLK. 8, LOTs 3,4,5,6,7,8 & MH, Parcel R78019, BLK. 8; 20' Alley and Parcel R29961 of the S2400 CAGE ADDITION and Parcel R29961, being BLK. 92; LOT 3 (E PT OF) of the S2600 CITY ADDITION to the City of Stephenville, Erath County, Texas.

11. Case No.: RZ2024-019

Applicant Mike McCowan, representing Pete Muzyka and George Grissom, is requesting a rezone of property located at 0 CR 256, Parcel R19796, being approximately 212 acres of A0342 H C Hudson of the City of Stephenville, Erath County, Texas from AG-Agricultural to R-2.5- Integrated Housing.

12. PUBLIC HEARING

Case No.: RZ2024-019

13. Consider approval of a rezone of property located at 0 CR 256, Parcel R19796, being approximately 212 acres of A0342 H C Hudson of the City of Stephenville, Erath County, Texas from AG-Agricultural to R-2.5- Integrated Housing.

14. Case No.: PD2023-001 – Front Porch PD Update

Applicant Reagan Thompson, representing TSU Catholic, LLC., is providing an update to the Planned Development (PD) for property located at 1292 W Washington, Parcel R77944, being BLK. 134, LOTS 12;18;30B;31 (PTS OF), 1334 W Washington, Parcel R30249, being BLK . 134, LOT 40, ATM MACHINE, 1350 W Washington, Parcel R30251, being BLK. 134; LOTS 1;5;28, 1303 McNeill, Parcel R30272, being BLK. 134, LOT 32, 1345 McNeill, Parcel R30271, being BLK. 134; LOT 31 (S150) and 1353 McNeil, Parcel R30270, being BLK. 1.34, LOT 30A of the CITY ADDITION to the City of Stephenville, Erath County, Texas.

15. Consider acceptance of updated Development Schedule.

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 20, 2024 at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, November 20, 2024 at 5:30 PM in the-City Hall Council Chambers, 298 W. Washington, for the purpose of a Planning and Zoning Commission 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
Tyler Wright
Justin Slawson
Bonnie Terrell
Nick Robinson
Brian Lesley
Paul Ashby

COMMISSIONERS ABSENT: Justin Slawson

OTHERS ATTENDING: Steve Killen, Director of Development Services
Wendy Rangel, Commission Secretary

CALL TO ORDER

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

CITIZENS GENERAL DISCUSSION

No statements made at this time.

MINUTES

1. Consider Approval of Minutes from October 16, 2024, and October 30, 2024

MOTION by Brian Lesley, SECOND by Bonnie Terrell to approval Minutes from October 16, 2024, as presented. Motion carried unanimously.

Consider Approval of Minutes from October 30, 2024

MOTION by Bonnie Terrell, SECOND Paul Ashby to approval Minutes from October 30, 2024, as presented. Motion carried unanimously.

REGULAR AGENDA**2. Case No.: RZ2024-017**

Applicant Jonathan Powell, Representing PEACOCK INVESTMENTS, LLC., is Requesting a Rezone of Property Located at 1310 Dale Ave., Parcel R31191, Being S3250 DALE AVENUE NORTH ADDITION; BLOCK 1, LOT 29, to the City of Stephenville, Erath County, Texas from R-3, Multiple Family to R-2.5, Integrated Housing

This item was withdrawn by the applicant from the agenda.

3. PUBLIC HEARING

Case No.: RZ2024-017

This item was pulled from the agenda.

4. Consider Approval of Rezone for Property Located at 1310 Dale Ave., Parcel R31191, Being S3250 DALE AVENUE NORTH ADDITION; BLOCK 1, LOT 29, to the City of Stephenville, Erath County, Texas from R-3, Multiple Family to R-2.5, Integrated Housing

This item was pulled from the agenda.

5. Case No.: PD2024-018

Applicant Joel Allen, Representing Pecan Landing, LLC., is Requesting a Repeal of City Ordinance 2023-O-08 and will be Presenting a Conceptual Plan for a Planned Development of Property Located at 0 Forest Ln, Parcel R77510, Acres 36.765, A0515 MOTLEY WILLIAM, to the City of Stephenville, Erath County, Texas

This item was withdrawn by the applicant from the agenda.

6. PUBLIC HEARING

Case No.: RZ2024-018

This item was pulled from the agenda.

7. Consider Approval of the Repeal of City Ordinance 2023-O-08 and the Presented Conceptual Plan for a Planned Development of Property Located at 0 Forest Ln, Parcel R77510, Acres 36.765, A0515 MOTLEY WILLIAM, to the City of Stephenville, Erath County, Texas

This item was pulled from the agenda.

8. Case No.: PD2021-003, 004 and 005 – UPDATE OCTOBER 2024

Owner 598 Westwood, LLC., and Co-Owner Reese Flanagan, are Providing an Update to the Planned Development (PD) for Property Located at 817 W. Washington, Parcel 29583 of CITY ADDITION, BLOCK 62, LOT 6A, 7, part of 14 and 17, 855 and 865 W. Washington, Parcel R29581, of CITY ADDITION, BLOCK 62, LOTS 4, part of 5 and 6B and 873 W. Washington, Parcel R29580, of CITY ADDITION, BLOCK 62, LOT 3, of the City of Stephenville, Erath County, Texas

Applicant Reese Flanagan presented an update to the timeline of the Planned Development as described.

9. Case No.: PD2021-003, 004 and 005 – UPDATE OCTOBER 2024

No public hearing for this item was needed.

10. Consider approval of the Update to the Planned Development (PD) for Property Located at 817 W. Washington, Parcel 29583 of CITY ADDITION, BLOCK 62, LOT 6A, 7, part of 14 and 17, 855 and 865 W. Washington, Parcel R29581, of CITY ADDITION, BLOCK 62, LOTS 4, part of 5 and 6B and 873 W.

Washington, Parcel R29580, of CITY ADDITION, BLOCK 62, LOT 3, of the City of Stephenville, Erath County, Texas

MOTION made by Paul Ashby, SECONDED by Brian Lesley to approve the Update to the Planned Development. Motion carried unanimously.

ADJOURN

Chairperson LaTouche adjourned meeting at 5:40PM.

APPROVED:

ATTEST:

Lisa LaTouche, Chair

Jacey Wood, Deputy City Secretary

STAFF REPORT



SUBJECT: Case No.: PP2024-005

Applicant Reece Flanagan, representing Erath County Habitat for Humanity, is requesting approval of a Preliminary Plat with simultaneous rezoning from B-2, Retail and Commercial, to R-2.5, Integrated Housing, of property located at 0 S. Drew, Parcel R78511, being BLK. 75, LOT 19, and Parcel R29797, being BLK. 75, LOT 18, of the CITY ADDITION to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

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

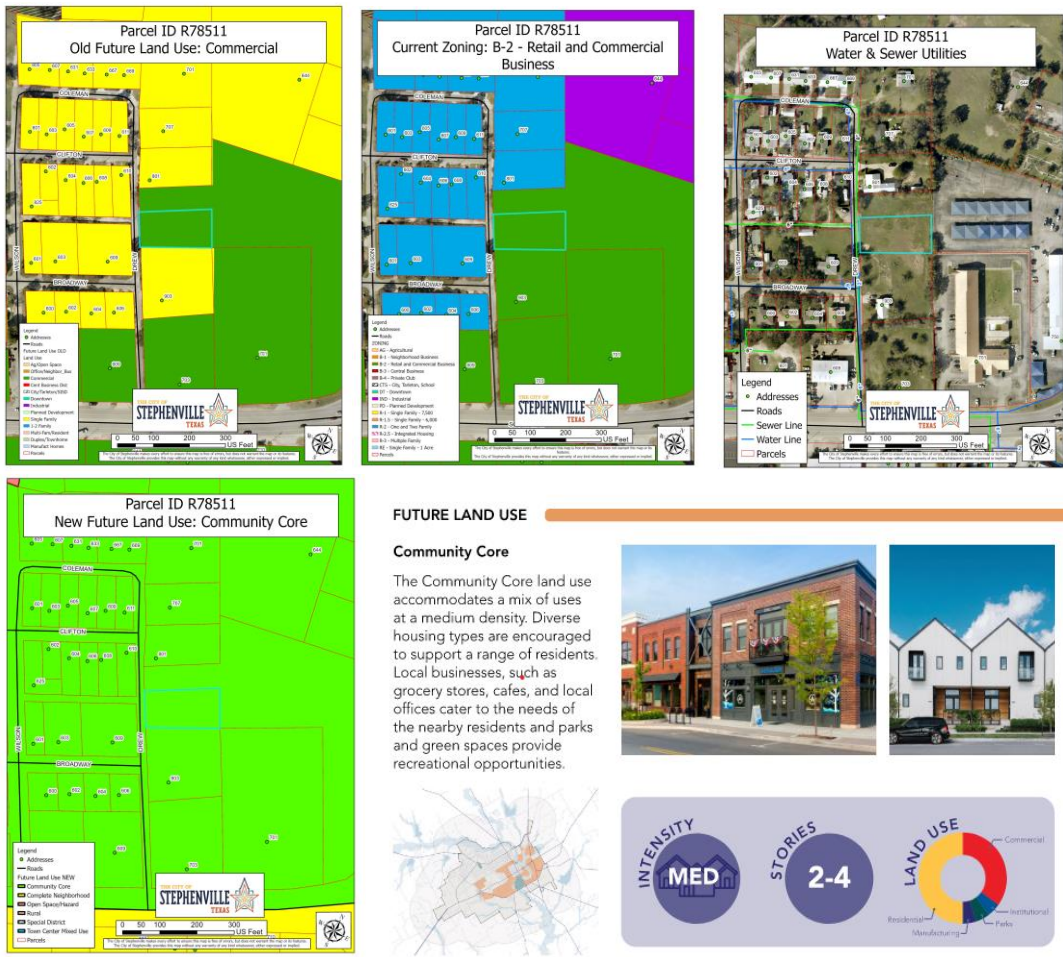
Staff is requesting the Commission consider the simultaneous approval of the Preliminary Plat with the Conditions and a recommendation to the City Council regarding the rezone request. The rezone will not apply to the larger portion (remainder) of Parcel R29797.

BACKGROUND:

Staff is recommending approval of the Preliminary Plat upon completion of the following conditions:

1. The Preliminary Plat must conform to design requirements and construction standards as set forth in the Engineering Standards Manual.
2. Additional easements as required for Backflow Preventor Assembly Vaults, Access & Utility Easements, retaining wall easements, Floodplain and others that may be required as identified during the review process.
3. Provide a Plat Note that the City approved Micah as a 40' ROW.
4. Structures may not be placed over easements.
5. Ensure all required Plat language is provided.
6. Final Plat to be recorded after acceptance of improvements and floodplain modeling.

PROPERTY PROFILE:



Sec. 155.4.05. Preliminary plat.

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

Approval of each shall be separately included with this application.

2. *Current Title Commitments.* The Applicant shall furnish with the Application to the City a current title commitment issued by a title insurance company authorized to do business in Texas, a title opinion letter from an attorney licensed to practice in Texas, or some other acceptable proof of ownership, identifying all persons having an ownership interest in the property subject to the Preliminary Plat.

E. *Review by City Administrator/Responsible Official.* The City Administrator shall:

1. Initiate review of the plat and materials submitted.
2. Make available Plats and reports to the Commission for review.
3. Upon determination that the Application is ready to be acted upon, schedule the Preliminary Plat for consideration on the agenda of the next available meeting of the Planning and Zoning Commission.

F. *Action by the Planning and Zoning Commission.* The Commission shall:

1. Review the Preliminary Plat Application, the findings of the City Administrator and any other information available.
 - a. From all such information, the Commission shall determine whether the Preliminary Plat conforms to this Subdivision Ordinance.
2. Act within thirty (30) calendar days following the Official Submission Date, unless the Applicant submits a Waiver of Right to 30-Day Action.
 - a. If no decision is rendered by the Commission within the thirty (30) day period described above or such longer period as may have been agreed upon, the Preliminary Plat, as submitted, shall be deemed approved by the Commission.
3. Take one of the following actions:
 - a. Approve the Preliminary Plat;
 - b. Approve the Preliminary Plat with conditions, which shall mean that the Preliminary Plat shall be considered to have been approved once such conditions are fulfilled and until the conditions are satisfied, it is considered denied; or
 - c. Deny the Preliminary Plat.

G. *Criteria for Approval.* The following criteria shall be used by the Commission to determine whether the Application for a Preliminary Plat shall be approved, approved with conditions, or denied:

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

H. *Effect of Approval.*

1. Approval of a Preliminary Plat shall allow the Applicant to proceed with the development and platting process by submitting Construction Plans and Final Plat.

2. Approval of the Preliminary Plat shall be deemed general approval of the subdivision's layout only, and shall not constitute approval or acceptance of Construction Plans or a Final Plat.

ALTERNATIVES

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

Parcel ID R78511 200 Ft Buffer

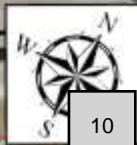


- Legend**
- Addresses
 - Roads
 - Parcels
 - 200 Ft Buffer



0 50 100 200 300
US Feet

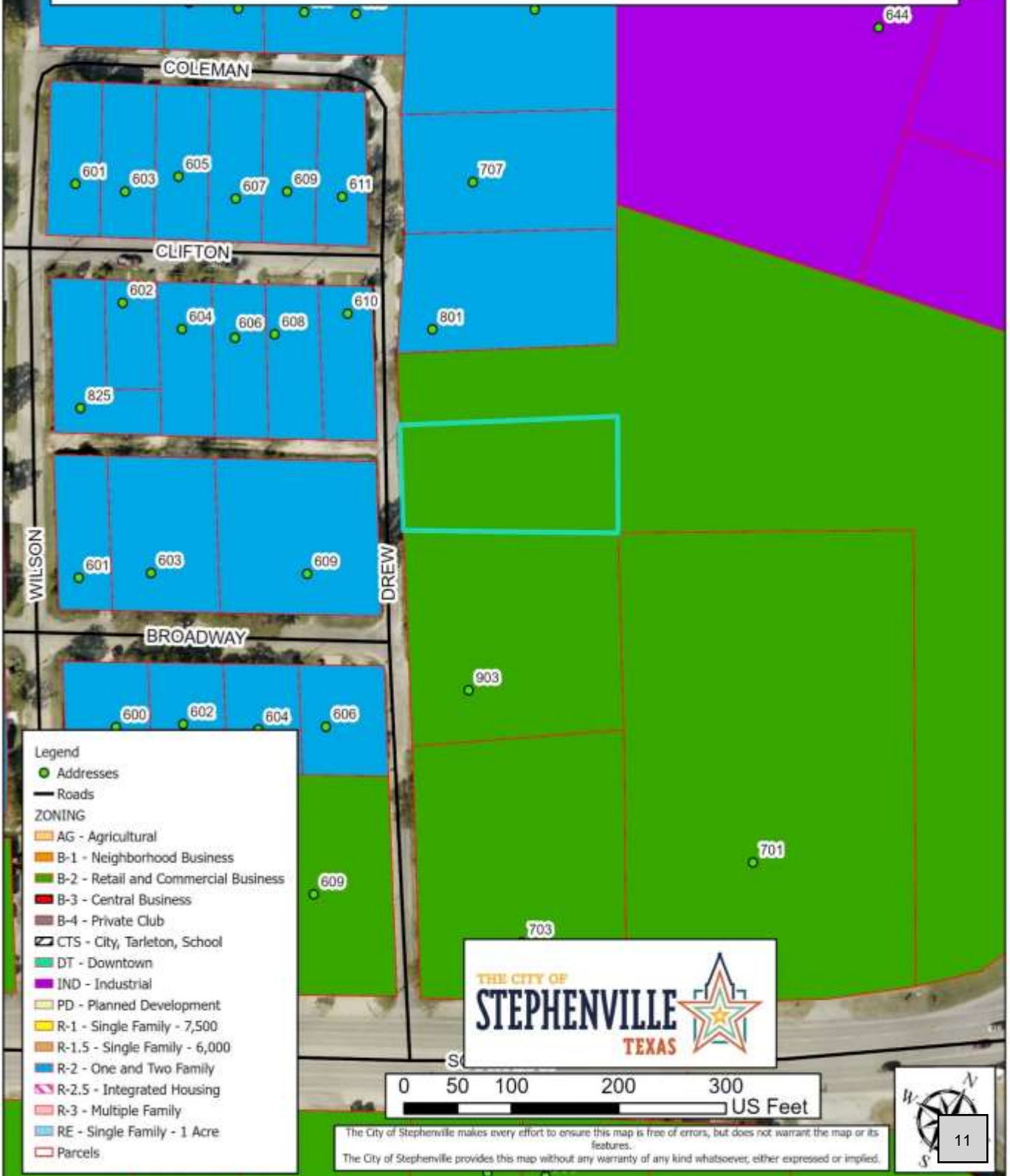
The City of Stephenville makes every effort to ensure this map is free of errors, but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either expressed or implied.



Parcel ID R78511

Item 2.

Current Zoning: B-2 - Retail and Commercial Business

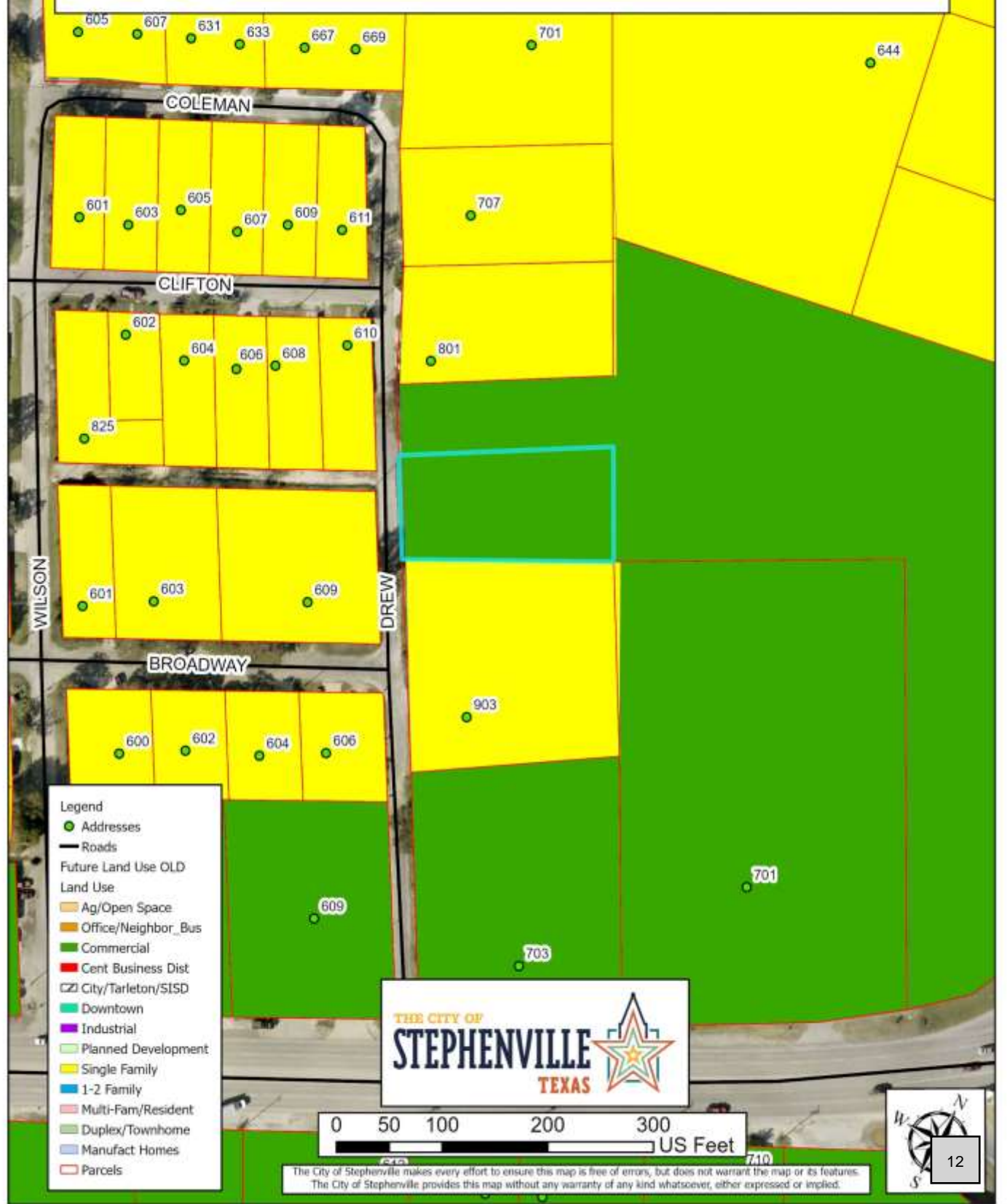


- Legend**
- Addresses
 - Roads
- ZONING**
- AG - Agricultural
 - B-1 - Neighborhood Business
 - B-2 - Retail and Commercial Business
 - B-3 - Central Business
 - B-4 - Private Club
 - CTS - City, Tarleton, School
 - DT - Downtown
 - IND - Industrial
 - PD - Planned Development
 - R-1 - Single Family - 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

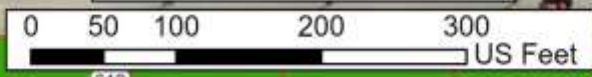


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Parcel ID R78511 Old Future Land Use: Commercial



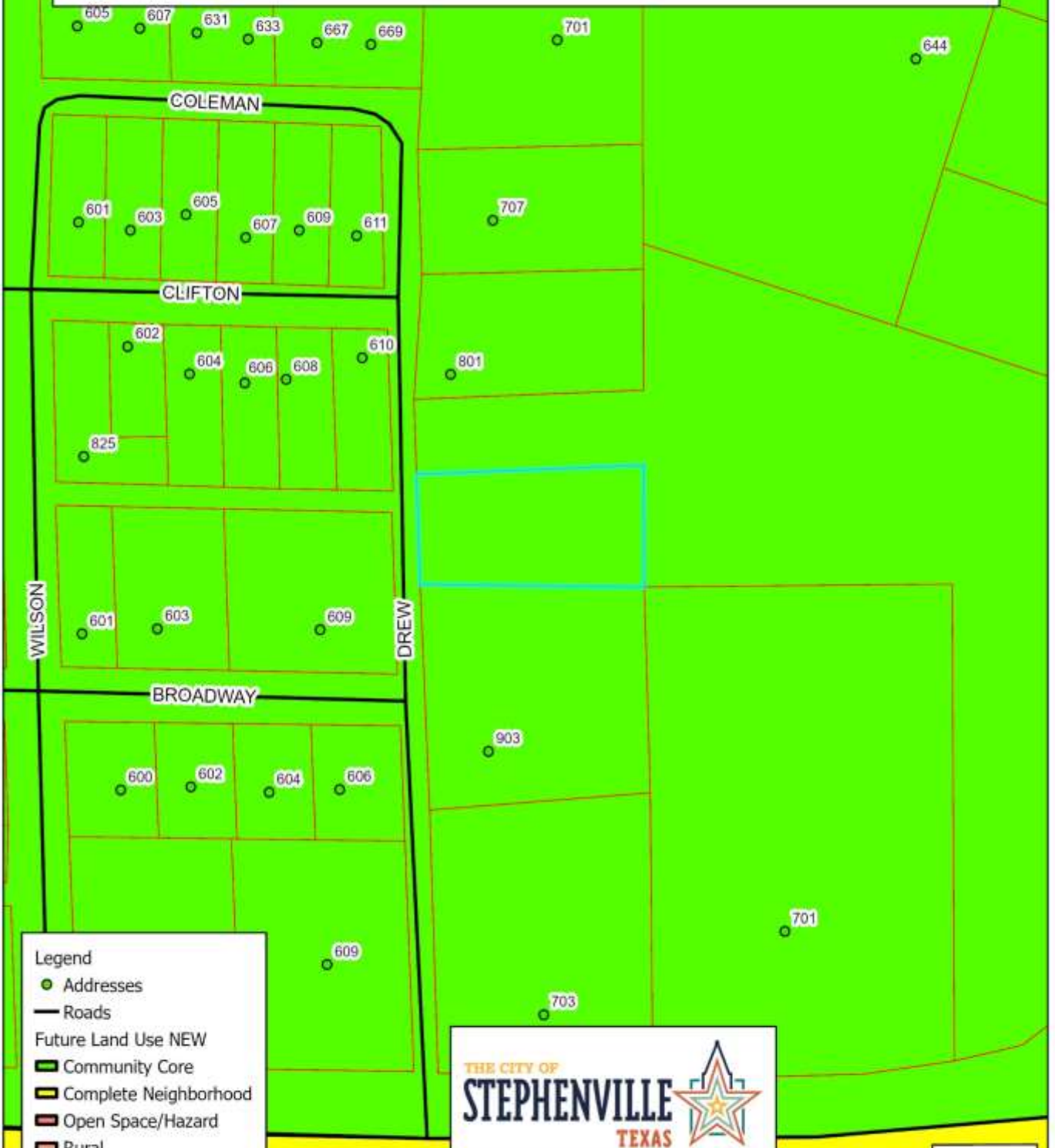
- Legend**
- Addresses
 - Roads
 - Future Land Use OLD Land Use
 - Ag/Open Space
 - Office/Neighbor_Bus
 - Commercial
 - Cent Business Dist
 - City/Tarleton/SISD
 - Downtown
 - Industrial
 - Planned Development
 - Single Family
 - 1-2 Family
 - Multi-Fam/Resident
 - Duplex/Townhome
 - Manufact Homes
 - Parcels



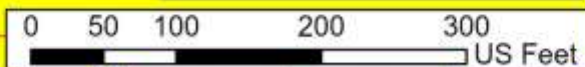
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Parcel ID R78511

New Future Land Use: Community Core



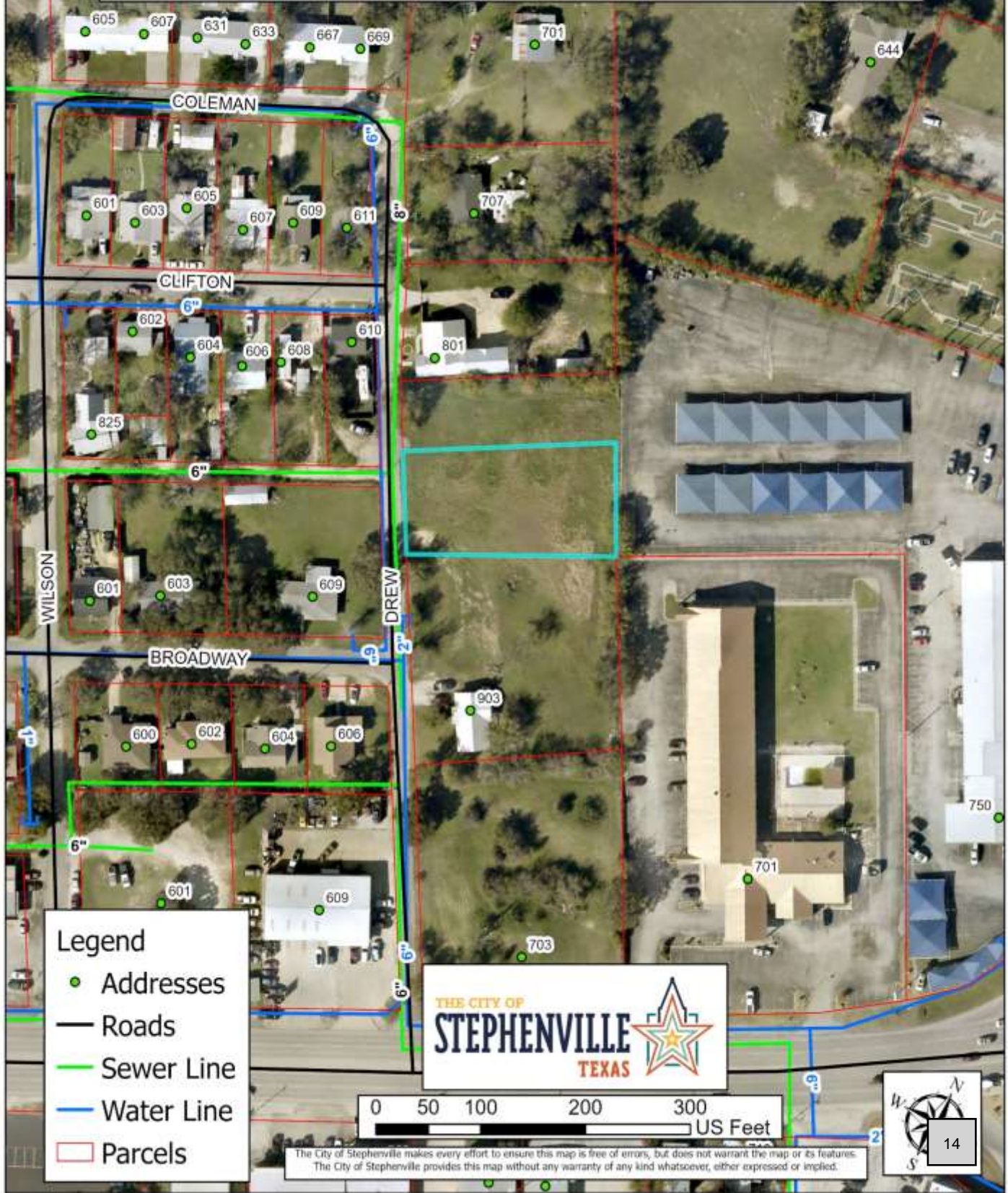
- Legend**
- Addresses
 - Roads
 - Future Land Use NEW**
 - Community Core
 - Complete Neighborhood
 - Open Space/Hazard
 - Rural
 - Special District
 - Town Center Mixed Use
 - Parcels



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Parcel ID R78511 Water & Sewer Utilities

Item 2.



- Legend**
- Addresses
 - Roads
 - Sewer Line
 - Water Line
 - Parcels



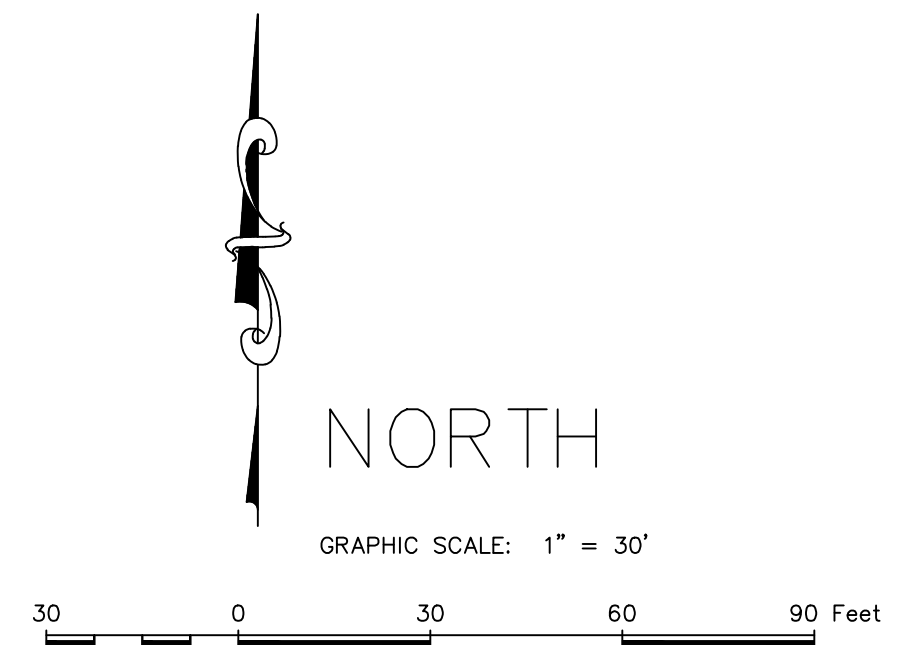
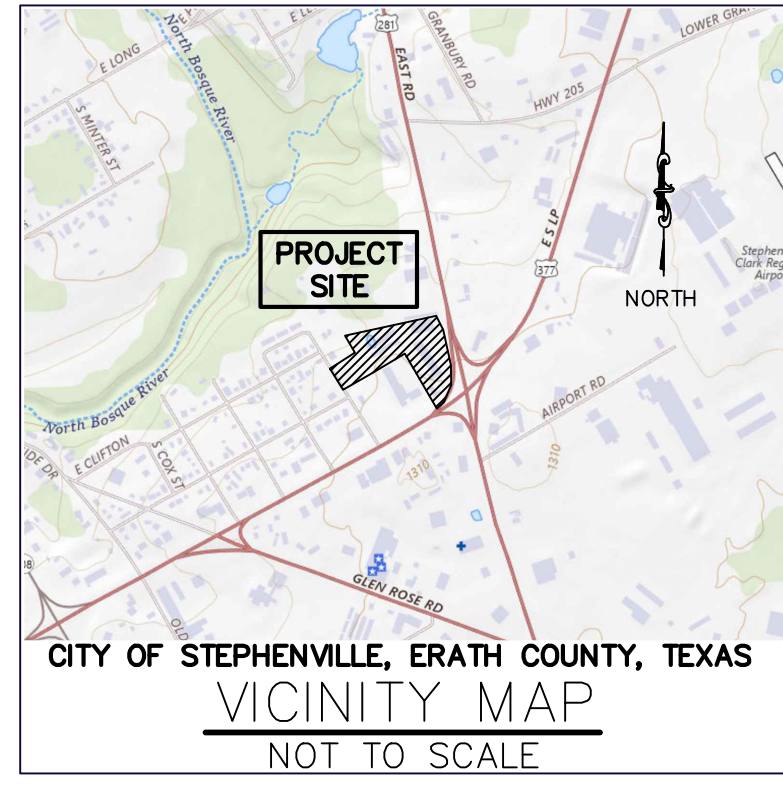
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Parcel R78511

200 Ft Buffer Addresses

Item 2.

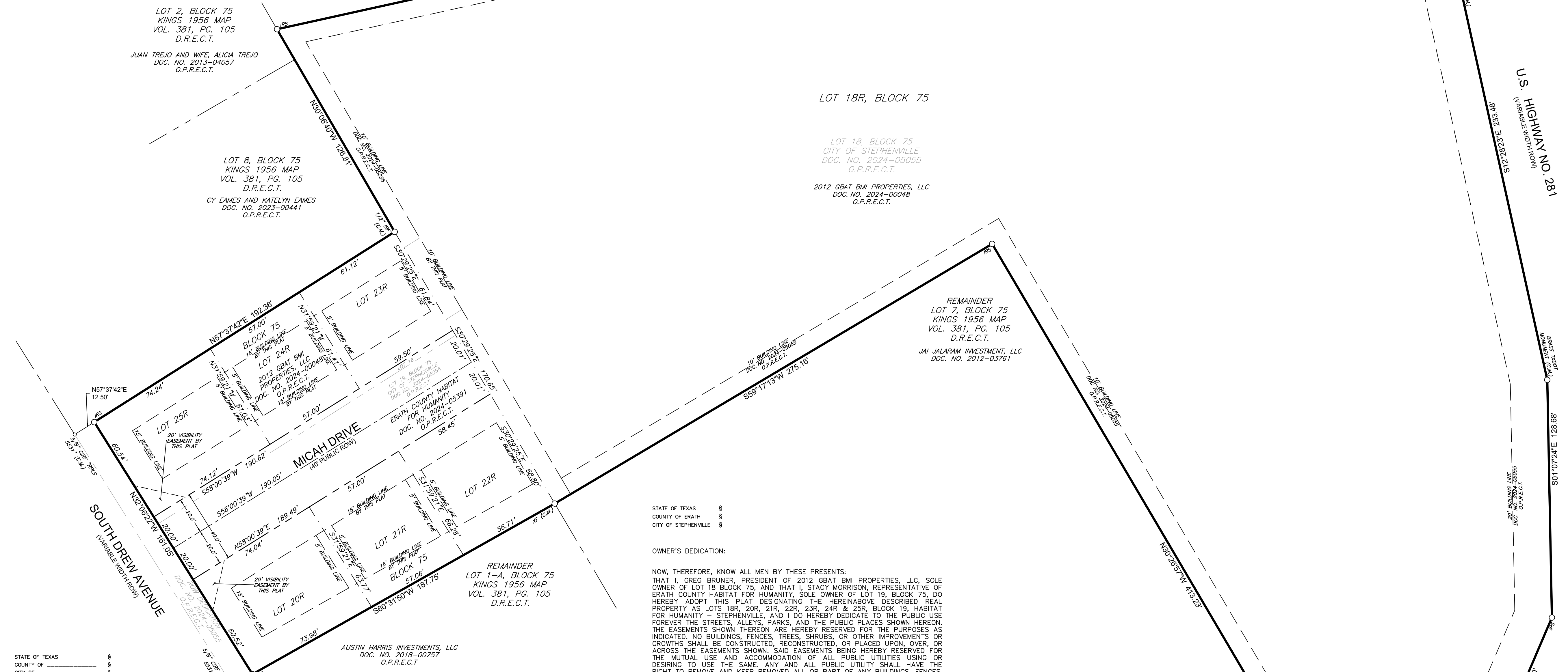
Parcel ID	Parcel Address	Owner Name	Owner Address	City	State	Zip
R29797	750 EAST ROAD	2012 GBAT BMI PROPERTIES, LLC	128 GREENBRIAR	STEPHENVILLE	TX	76401
R29786	703 E SOUTH LOOP	AMISTAD DQ COMPANY LTD	PO BOX 1299	GRAHAM	TX	76450
R29785	903 DREW	AUSTIN HARRIS INVESTMENTS, LLC	28550 N US377	BLUFF DALE	TX	76433
R29805	801 DREW	EAMES CY & KATELYN EAMES	PO BOX 360	STONEWALL	TX	78671
R78511	0 S DREW	ERATH COUNTY HABITAT FOR HUMANITY	PO BOX 505	STEPHENVILLE	TX	76401
R30614	606 CLIFTON	GLEESON MARC & JEAN GLEESON	285 CR398	STEPHENVILLE	TX	76401
R30607	606 E BROADWAY	HERNANDEZ GONIFACIO ARTEAGA & MARIA LUNA RUBIO	115 GRAHAM ST	STEPHENVILLE	TX	76401
R73699	604 E BROADWAY	HEWETT HOLDINGS, LLC	503 GREENWICH LANE	COPPELL	TX	75019
R29801	701 E SOUTH LOOP	JAI JALARAM INVESTMENT LLC	701 SOUTH LOOP	STEPHENVILLE	TX	76401
R30611	609 E BROADWAY	MCCOY RAY	2926 CR284	DUBLIN	TX	76446
R30615	604 CLIFTON	MORALES CLEMENTINE CASTILLO &	604 CLIFTON	STEPHENVILLE	TX	76401
R30693	609 CLIFTON	NISTLER ANTHONY	PO BOX 33	MCGREGOR	MN	55760
R30694	611 CLIFTON	NISTLER ANTHONY	PO BOX 33	MCGREGOR	MN	55760
R30610	603 E BROADWAY	OGLEVEE ALLEN	2252 BEACH DR APT 2202	GULFPORT	MS	39507
R29800	644 EAST ROAD	ROACH KERRY JANE	644 EAST RD	STEPHENVILLE	TX	76401-0000
R30613	608 CLIFTON	SERRANO LEANDRO & NANCY GONZALES	608 E CLIFTON ST	STEPHENVILLE	TX	76401
R29787	707 DREW	TREJO JUAN & ALICIA	707 DREW ST	STEPHENVILLE	TX	76401
R30612	610 CLIFTON	WARREN GARY S & ROSA W	610 CLIFTON	STEPHENVILLE	TX	76401



STATE OF TEXAS §
 COUNTY OF ERATH §
 CITY OF STEPHENVILLE §

PRELIMINARY
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT DATED 12/06/2024

PROPERTY DESCRIPTION:
 BEING ALL OF THAT SAME TRACT OF LAND SITUATED IN THE J. BLAIR SURVEY, ABSTRACT NO. 32, IN THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS, AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED TO ERATH COUNTY HABITAT FOR HUMANITY IN DEED RECORDED IN DOCUMENT NUMBER (DOC. NO.) 2024-05055, OFFICIAL PUBLIC RECORDS, ERATH COUNTY, TEXAS (O.P.R.E.C.T.), AND BEING PART OF THAT SAME TRACT OF LAND DESCRIBED TO 2012 GBAT BMI PROPERTIES, LLC IN DEED RECORDED IN DOC. NO. 2024-00048, (O.P.R.E.C.T.), AND BEING ALL OF LOT 18 AND LOT 19, BLOCK 75, CITY OF STEPHENVILLE, TEXAS, AN ADDITION TO THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 2024-05055, O.P.R.E.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 BEGINNING AT A 3/8-INCH IRON ROD FOUND FOR THE SOUTHERNMOST CORNER OF SAID LOT 18, SAID POINT LYING ON THE NORTHWEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 377 (A VARIABLE WIDTH RIGHT-OF-WAY);
 THENCE NORTH 30 DEGREES 26 MINUTES 57 SECONDS, DEPARTING THE NORTHWEST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 377, A DISTANCE OF 413.23 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "FLANAGAN" SET FOR AN INTERIOR "ELL" CORNER OF SAID LOT 18;
 THENCE SOUTH 59 DEGREES 17 MINUTES 13 SECONDS WEST, WITH A SOUTHEAST LINE OF SAID LOT 18, A DISTANCE OF 275.16 FEET TO AN "X" CUT IN CONCRETE FOUND FOR THE EAST CORNER OF SAID LOT 19;
 THENCE SOUTH 60 DEGREES 31 MINUTES 50 SECONDS WEST, WITH THE SOUTHEAST LINE OF SAID LOT 19, A DISTANCE OF 187.75 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "FLANAGAN" SET FOR THE SOUTH CORNER OF SAID LOT 19, SAID POINT LYING ON THE NORTHEAST RIGHT-OF-WAY LINE OF SOUTH DREW AVENUE (A VARIABLE WIDTH RIGHT-OF-WAY);
 THENCE NORTH 32 DEGREES 06 MINUTES 22 SECONDS WEST, WITH THE SOUTHWEST LINE OF SAID LOT 18 AND SAID LOT 19, AND WITH THE NORTHEAST RIGHT-OF-WAY LINE OF SAID SOUTH DREW AVENUE, A DISTANCE OF 161.05 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "FLANAGAN" SET FOR THE WESTERMOST CORNER OF SAID LOT 18;
 THENCE NORTH 57 DEGREES 37 MINUTES 42 SECONDS EAST, DEPARTING THE NORTHEAST RIGHT-OF-WAY LINE OF SAID SOUTH DREW AVENUE, AND WITH THE WESTERMOST NORTHWEST LINE OF SAID LOT 18, A DISTANCE OF 192.36 FEET TO A 1/2-INCH IRON ROD FOUND FOR AN INTERIOR "ELL" CORNER OF SAID LOT 18;
 THENCE NORTH 30 DEGREES 06 MINUTES 40 SECONDS WEST, WITH A SOUTHWEST LINE OF SAID LOT 18, A DISTANCE OF 126.81 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "FLANAGAN" SET FOR THE NORTHERNMOST NORTHWEST CORNER OF SAID LOT 18;
 THENCE NORTH 77 DEGREES 32 MINUTES 18 SECONDS EAST, WITH THE NORTHERNMOST NORTHWEST LINE OF SAID LOT 18, A DISTANCE OF 40.43 FEET TO A CONCRETE MONUMENT FOUND FOR THE NORTHERNMOST CORNER OF SAID LOT 18, SAID POINT LYING ON THE SOUTHWEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 281 (A VARIABLE WIDTH RIGHT-OF-WAY);
 THENCE WITH THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 281 THE FOLLOWING COURSES AND DISTANCES:
 SOUTH 28 DEGREES 28 MINUTES 22 SECONDS EAST, 103.17 FEET TO A CONCRETE MONUMENT FOUND FOR CORNER;
 SOUTH 12 DEGREES 28 MINUTES 23 SECONDS EAST, 233.48 FEET TO A BRASS "X" CUT MONUMENT FOUND FOR CORNER;
 SOUTH 01 DEGREES 07 MINUTES 24 SECONDS EAST, 128.68 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "FLANAGAN" SET FOR CORNER;
 SOUTH 23 DEGREES 07 MINUTES 41 SECONDS WEST, 121.20 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "FLANAGAN" SET FOR CORNER;
 SOUTH 47 DEGREES 04 MINUTES 48 SECONDS WEST, 62.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 233.015 SQUARE FEET OR 5.349 ACRES OF LAND, MORE OR LESS.



STATE OF TEXAS §
 COUNTY OF _____ §
 CITY OF _____ §

I, GWINDA JONES, CLERK OF THE COUNTY COURT OF ERATH COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD AND DULY RECORDED IN MY OFFICE THIS _____ DAY OF _____ 20____ AT _____ O'CLOCK, P.M., IN THE OFFICIAL PUBLIC RECORDS OF ERATH COUNTY IN DOCUMENT NO. _____ IN CABINET _____ SLIDE _____

TO CERTIFY WHICH, I WITNESS MY HAND AND SEAL AT THE COUNTY COURT OF ERATH COUNTY, AT MY OFFICE IN ERATH, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

BY: _____
 GWINDA JONES
 CLERK OF COUNTY COURT OF ERATH COUNTY, TEXAS

STATE OF TEXAS §
 COUNTY OF _____ §
 CITY OF _____ §

BEFORE ME, NOTARY IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED STACY MORRISON, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____ 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

COMMISSION EXPIRATION: _____

LOT SIZE TABLE

LOT	BLOCK	ACRES	SQ. FT.
18R	75	4.624	201,435.71
20R	75	0.106	4,597
21R	75	0.085	3,706
22R	75	0.089	3,887
23R	75	0.085	3,716
24R	75	0.080	3,490
25R	75	0.104	4,509

STATE OF TEXAS §
 COUNTY OF _____ §
 CITY OF _____ §

BEFORE ME, NOTARY IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED GREG BRUNER, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____ 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

COMMISSION EXPIRATION: _____

STATE OF TEXAS §
 COUNTY OF ERATH §
 CITY OF STEPHENVILLE §

OWNER'S DEDICATION:
 NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT I, GREG BRUNER, PRESIDENT OF 2012 GBAT BMI PROPERTIES, LLC, SOLE OWNER OF LOT 18 BLOCK 75, AND THAT I, STACY MORRISON, REPRESENTATIVE OF ERATH COUNTY HABITAT FOR HUMANITY, SOLE OWNER OF LOT 19, BLOCK 75, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED REAL PROPERTY AS LOTS 18R, 20R, 21R, 22R, 23R, 24R & 25R, BLOCK 75, HABITAT FOR HUMANITY - STEPHENVILLE, AND I DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, PARKS, AND THE PUBLIC PLACES SHOWN HEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES AS INDICATED. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED, OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS SHOWN, SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE THE SAME. ANY AND ALL PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, 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 OR PROCURING THE PERMISSION OF ANYONE.

ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE USE OF READING METERS AND/OR FOR ANY MAINTENANCE AND SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY. THE EASEMENTS DEDICATED ARE FOR SPECIFIC USE OF INSTALLING AND MAINTAINING WATER, SEWER, ELECTRICAL, NATURAL GAS, TELEPHONE, FIBER, OR CABLEVISION LINES, AND ARE NOT INTENDED TO BE USED FOR GARBAGE DUMPSTERS, THE COLLECTION OF GARBAGE, OR FOR THE USE OF GARBAGE VEHICLES IN ANY MANNER. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF STEPHENVILLE, TEXAS.

APPROVED AND ACCEPTED:

 GREG BRUNER, PRESIDENT, 2012 GBAT BMI PROPERTIES, LLC

 STACY MORRISON, REPRESENTATIVE, ERATH COUNTY HABITAT FOR HUMANITY

 APPROVED AND ACCEPTED:

 DIRECTOR OF DEVELOPMENT SERVICES

 CITY SECRETARY, CITY OF STEPHENVILLE, TEXAS

- LEGEND OF ABBREVIATIONS
- D.R.E.C.T. DEED RECORDS, ERATH COUNTY, TEXAS
 - O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ERATH COUNTY, TEXAS
 - P.R.E.C.T. PLAT RECORDS, ERATH COUNTY, TEXAS
 - ROW RIGHT OF WAY
 - IRF IRON ROD FOUND
 - IRS 5/8 INCH CAPPED IRON ROD STAMPED "FLANAGAN" SET
 - C.M. CONTROLLING MONUMENT

SURVEYOR'S NOTES:

- BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM OF 1983 (NAD 83)(US FOOT) WITH A COMBINED SCALE FACTOR OF 1.000120
- MONUMENTS ARE FOUND UNLESS SPECIFICALLY DESIGNATED AS SET.
- SUBJECT PROPERTY IS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR ERATH COUNTY, TEXAS AND INCORPORATED AREAS. MAP NO. 48143C0430D, COMMUNITY-PANEL NO. 4802200430D, EFFECTIVE DATE: NOVEMBER 16, 2011. ALL OF THE SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN ZONE X ON SAID MAP. THE LOCATION OF THE SAID FLOOD ZONES IS BASED ON SAID MAP, IS APPROXIMATE AND IS NOT LOCATED ON THE GROUND. RELEVANT ZONES ARE DEFINED ON SAID MAP AS FOLLOWS:
 ZONE "X" - OTHER AREAS: AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

STATE OF TEXAS §
 COUNTY OF _____ §
 CITY OF _____ §

BEFORE ME, NOTARY IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED STACY MORRISON, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____ 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

COMMISSION EXPIRATION: _____

Fort Worth, Texas | P-817.704.0480 | flanagan-is.com | TPELS Firm No. 10194766
 Contact: Mark Peeples, R.P.L.S.

SURVEYOR:
 FLANAGAN LAND SURVEYING
 CONTACT: MARK PEEPLES, RPLS #6443
 PHONE: 817-704-0480
 5049 EDWARDS RANCH RD., STE. 300
 FORT WORTH, TEXAS 76109

OWNER:
 2012 GBAT BMI PROPERTIES, LLC
 CONTACT: GREG BRUNER
 PHONE: 254-968-2135
 128 GREENBRIAR, STEPHENVILLE
 ERATH COUNTY, TEXAS 76401

OWNER:
 ERATH HABITAT FOR HUMANITY
 CONTACT: STACY MORRISON
 PHONE: 432-631-2258
 754 W. SLOAN STREET, STEPHENVILLE
 ERATH COUNTY, TEXAS 76401

PRELIMINARY PLAT
 LOT 18R, 20R, 21R, 22R, 23R, 24R, & 25R, BLOCK 75
 HABITAT FOR HUMANITY - STEPHENVILLE
 BEING A REPLAT OF LOT 18 & LOT 19, BLOCK 75
 CITY OF STEPHENVILLE ADDITION,
 AS RECORDED IN DOC. NO. 2024-05055, P.R.E.C.T.

SITUATED IN THE
 J. BLAIR SURVEY
 ABSTRACT NO. 32
 ERATH COUNTY, TEXAS

FILED BY: CREW 1	CHECKED BY: MNP	JOB NO. 6017
DRAWN BY: MNP	DATE: 12/06/2024	SHEET NO. 1 OF 1

STAFF REPORT



SUBJECT: Case No.: RP2024-005

Applicant Pat Dial, representing AMISTAD DQ COMPANY, LTD., is requesting a Replat of property located at 703 E South Loop, Parcel R29786, being BLOCK 75, LOT 1B of the S2600 CITY ADDITION to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

The Developer and staff have reviewed the project and discussed the additional right-of-way dedication requirements as reflected on the plat submittal.

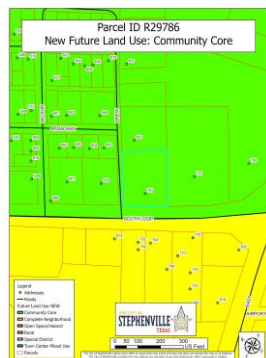
Staff recommends conditional approval to allow the completion of the following:

1. Provide a 45x45 sight visibility clip at the intersection of the two streets.
2. Acquire acceptance of any public improvements prior to recordation.

This replat will not require action by City Council.

BACKGROUND:

PROPERTY PROFILE:



FUTURE LAND USE

Community Core

The Community Core land use accommodates a mix of uses at a medium density. Diverse housing types are encouraged to support a range of residents. Local businesses, such as grocery stores, cafes, and local offices cater to the needs of the nearby residents and parks and green spaces provide recreational opportunities.



Sec. 155.4.08. Replat.

A. Purpose and Applicability.

1. A Replat of all or a portion of a recorded Plat may be approved in accordance with State law without vacation of the recorded Plat, if the Replat:
 - a. Is signed and acknowledged by only the owners of the property being replatted;
 - b. Is approved after a public hearing; and
 - c. Does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded Plat.
2. A Replat shall be subject to approval by the Commission.

B. General Notice and Public Hearing Requirements.

1. Published notice of the public hearings on the Replat Application shall be given in accordance with Section 3.05 if applicable.
 - a. See specific notice and hearing requirements for "Certain" Replats in Section 4.08.F.
2. A public hearing shall be conducted by the Commission on all Replat Applications.

C. Application.

The Application for a Replat of a Subdivision shall meet all Application requirements of a Final Plat. The Applicant shall acknowledge that the Replat will not amend or remove any covenants or restrictions previously incorporated in the recorded Plat.

D. Partial Replat Application.

If a Replat is submitted for only a portion of a previously platted subdivision, the Replat must reference the previous Subdivision name and recording information, and must state on the Replat the specific lots which are being changed along with a detailed "Purpose for Replat" statement.

E. Criteria for Approval.

1. The Replat of the Subdivision shall meet all review and approval criteria for a Final Plat.
2. The Replat document shall be prepared by a Registered Professional Land Surveyor.

F. Additional Requirements for "Certain" Replats.

1. *Applicability of "Certain" Replats.* Pursuant to Texas Local Government Code Chapter 212.015, a Replat without vacation of the preceding Plat must conform to the requirements of this Section if:
 - a. During the preceding five (5) years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two (2) residential units per lot; or
 - b. Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two (2) residential units per lot.
2. *Notice and Public Hearing Requirements for "Certain" Replats.* Notice of the required public hearing shall be given before the fifteenth (15th) calendar day before the date of the hearing by:
 - a. Publication in an official newspaper or a newspaper of general circulation in the applicable City or unincorporated area (as applicable) in which the proposed Replat property is located; and
 - b. Written notice, with a copy of Section 212.015(c) of the Texas Local Government Code (as amended) attached, forwarded by the City to the owners of lots that are in the original Subdivision and that are within two hundred feet (200') of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a Subdivision within the ETJ, the most recently approved applicable county tax roll of the property upon which the Replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the City.
3. Protest.
 - a. If the Replat Application is accompanied by a waiver petition (per 7.01) and is protested in accordance with this Section, approval of the Replat shall require the affirmative vote of at least three-fourths of the voting members of the Commission present at the meeting.

- b. For a legal protest, written instruments signed by the owners of at least twenty percent (20%) of the area of the lots or land immediately adjoining the area covered by the Replat Application and extending two hundred feet (200') from that area, but within the original Subdivision, must be filed with the Commission prior to the close of the public hearing.
- c. The area of streets and alleys shall be included in the area computations.

G. *Replat Review and Approval.*

1. *Replat.* The review and approval processes for a Replat shall be the same as the review and approval processes for a Final Plat (except for the special public hearing and notice requirements described in Section 3.05).
2. *Minor Replat.*
 - a. Pursuant to Texas Local Government Code 212.0065, a Replat involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities (i.e., a Minor Replat may be approved by the City Administrator in accordance with this Section
 - b. Prior to taking action on a proposed Minor Replat the Planning and Zoning Commission shall hold at least one public hearing thereon. Otherwise, the review and approval process shall be the same as including:
 - i. Deferral to the Commission of a Minor Replat Decision.

- H. *Effect.* Upon approval of the Application, the Replat may be recorded and is controlling over the previously recorded Plat for the portion replatted.

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

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

Parcel ID R29786 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.



COLEMAN

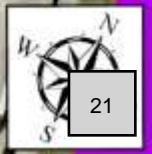
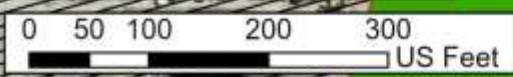
644

Item 5.

Parcel ID R29786 Old Future Land Use: Commercial



- Legend**
- Addresses
 - Roads
 - Future Land Use OLD Land 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
 - 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.

Parcel ID R29786

New Future Land Use: Community Core



Legend

- Addresses
- Roads
- Future Land Use NEW
 - Community Core
 - Complete Neighborhood
 - Open Space/Hazard
 - Rural
 - Special District
 - Town Center Mixed Use
- ▭ 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.

Parcel ID R29786

Current Zoning: B-2 - Retail and Commercial Business



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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 The City of Stephenville provides this map without any warranty of any kind whatsoever, either expressed or implied.

Parcel ID R29786 Water & Sewer Utilities



Legend

- Addresses
- Roads
- Sewer Line
- Water Line
- Parcels



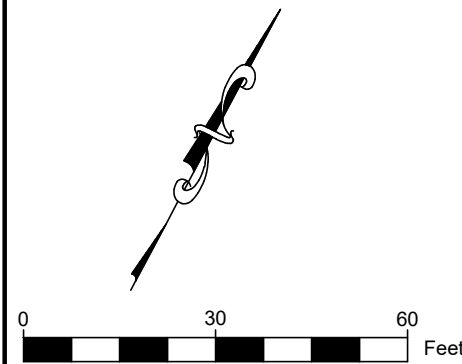
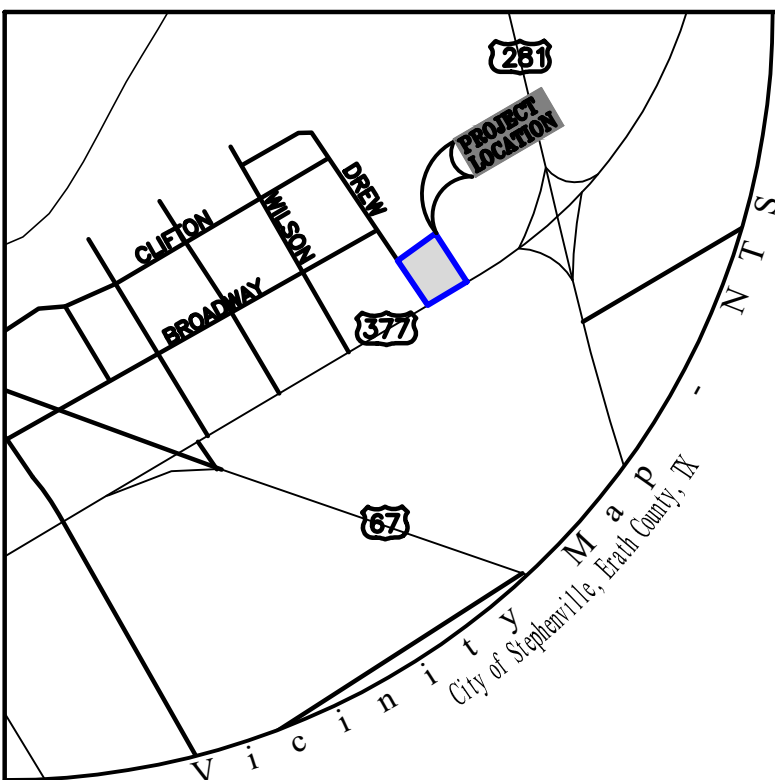
The City of Stephenville makes every effort to ensure this map is free of errors, but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either expressed or implied.

Parcel R29786

200 Ft Buffer Addresses

Item 5.

Parcel ID	Parcel Address	Owner	Address	City	State	Zip Code
R000029797	750 EAST ROAD	2012 GBAT BMI PROPERTIES, LLC	128 GREENBRIAR	STEPHENVILLE	TX	76401
R000029786	703 E SOUTH LOOP	AMISTAD DQ COMPANY LTD	PO BOX 1299	GRAHAM	TX	76450
R000075804	601 E SOUTH LOOP	ANTHONY CARY & CATHY ANTHONY AND	2301 S IKE	MONAHANS	TX	79756
R000029785	903 DREW	AUSTIN HARRIS INVESTMENTS, LLC	28550 N US377	BLUFF DALE	TX	76433
R000030424	710 E SOUTH LOOP	CASTILLO CONRADO M	710 E SOUTH LOOP	STEPHENVILLE	TX	76401
R000061536	802 EAST ROAD	CASTILLO CONRADO M & MARIA	802 EAST RD	STEPHENVILLE	TX	76401-5408
R000064280	609 E SOUTH LOOP	CHAVARRIA JAIME A & IGNACIA L	6075 CR392	STEPHENVILLE	TX	76401
R000030422	702 E SOUTH LOOP	COLLIER HUGHBERT & GAIL	PO BOX 1137	STEPHENVILLE	TX	76401
R000078511	0 S DREW	ERATH COUNTY HABITAT FOR HUMANITY	PO BOX 505	STEPHENVILLE	TX	76401
R000030423	704 E SOUTH LOOP	GOOD2CUTEXTING LLC	PO BOX 2418	STEPHENVILLE	TX	76401
R000065883	602 E BROADWAY	GOVEA CARLOS	1742 CR563	STEPHENVILLE	TX	76401-9347
R000030607	606 E BROADWAY	HERNANDEZ GONIFACIO ARTEAGA & MARIA LUNA RUBIO	115 GRAHAM ST	STEPHENVILLE	TX	76401
R000073699	604 E BROADWAY	HEWETT HOLDINGS, LLC	503 GREENWICH LANE	COPPELL	TX	75019
R000029801	701 E SOUTH LOOP	JAI JALARAM INVESTMENT LLC	701 SOUTH LOOP	STEPHENVILLE	TX	76401
R000030611	609 E BROADWAY	MCCOY RAY	2926 CR284	DUBLIN	TX	76446
R000030435	612 E SOUTH LOOP	P & W FURNITURE INC	612 S LOOP	STEPHENVILLE	TX	76401-0000
R000030436	610 E SOUTH LOOP	PRATER CHARLES R & PAULA J	612 E SOUTH LOOP	STEPHENVILLE	TX	76401-9333



LEGEND:
 IRF.....Iron Rod Found
 IRS.....5/8" Capped Iron Rod Set Marked "NATIVE CO., LLC"
 D.R.E.C.T.....Deed Records, Erath County, Texas
 O.P.R.E.C.T.....Official Public 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 FIRM 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 replat was prepared without the benefit of a current commitment for title insurance. Additional easements and/or restrictions may affect the surveyed property.
4. All corners are 5/8" Capped Iron Rods Set Marked "NATIVE CO., LLC" unless otherwise noted.

OWNERS CERTIFICATION:

§ STATE OF TEXAS
§ COUNTY OF ERATH

BEING all of a tract of land described in the deed to Amistad DQ Company, LTD, as recorded in Document No. 2021-05987, Official Public Records, Erath County, Texas (OPRECT) and intending to be all of Lot 1-B, Block 75, 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, 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 3/8 inch iron rod found in the north right-of-way line of U.S. Highway 377 (S. Loop) for the southeast corner of said Amistad tract and the southwest corner of a tract of land described in the deed to Jai Jalarum Investments, LLC, as recorded in Doc. No. 2012-03761, RRECT, from which a brass disk in concrete marked Texas Department of Transportation bears North 61°18'37" East, a distance of 51.28 feet;

THENCE South 61°18'37" West, with said right-of-way line, a distance of 190.18 feet to a 5/8 inch capped iron rod set marked "NATIVE CO., LLC" (IRS) at the intersection of the north right-of-way line of U.S. Highway 377 and the east right-of-way line of S. Drew Street for the southwest corner of said Amistad tract, from which a railroad spike found in the centerline of said S. Drew St. bears South 61°18'37" West, a distance of 12.50 feet;

THENCE North 31°31'54" West, with the east right-of-way line of S. Drew St., a distance of 224.26 feet to a damaged 60D nail found and replaced with an IRS for the northwest corner of said Amistad tract and the southwest corner of a tract of land described in the deed to Austin Harris Investments, LLC, as recorded in Document No. 2018-00757, RRECT;

THENCE North 56°24'50" East, with the common line of said Amistad tract and said Austin Harris Investments tract, a distance of 193.51 feet to a laid over 3/8 inch iron rod found replaced with an IRS for the northeast corner of said Amistad tract and being in the west line of the aforementioned Jai Jalarum tract;

THENCE South 30°42'53" East, with the common line of said Amistad tract and said Jai Jalarum tract and along the west side of a concrete retaining wall, a distance of 240.65 feet to the **POINT OF BEGINNING** and containing 44,554 Square Feet or 1.023 Acres of Land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, **Amistad DQ Company, LTD**, acting by and through the undersigned, their duly authorized agent, do hereby adopt this plat designating the herein above described real property as **LOT R1-B, BLOCK 75, 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 and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, maintaining, respective systems without the necessity at any time of procuring the permission of anyone.

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

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

Amistad DQ Company, LTD - Owner/Representative

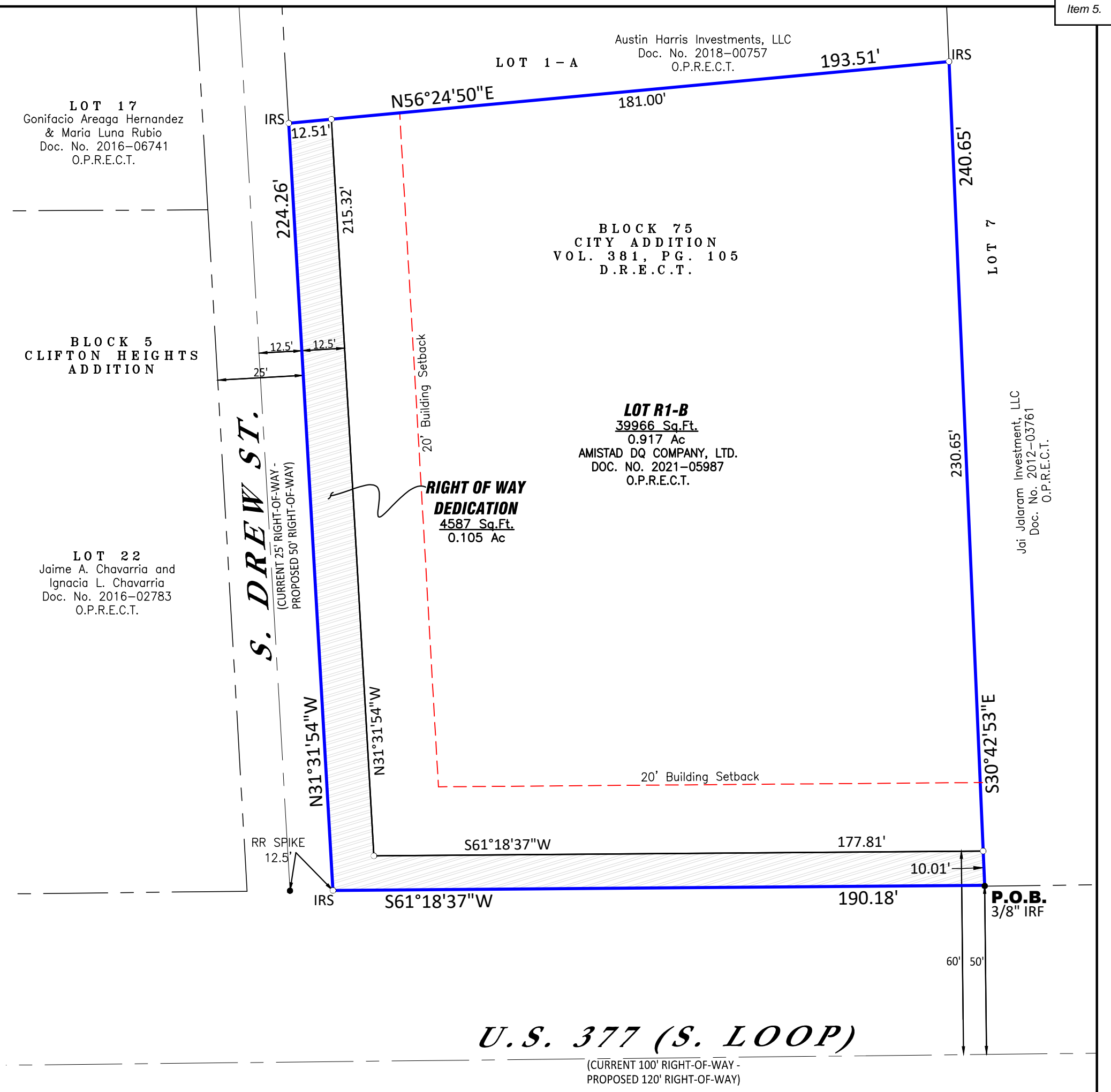
§ STATE OF TEXAS
§ COUNTY OF ERATH

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 _____, 2024.

 Notary Public in and for the State of Texas

 My commission expires



D:\Native Co. Log\Native Co. 1\Native Co.\transportation version\replat 1.mxd

P.O. Box 2465 Stephenville, Tx 76401
 zanc@nativeandsurveying.com ~ 254-434-6695
 TBPELS Firm No. 10194572

SURVEYOR'S CERTIFICATION:

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

N. Zane Griffin, RPLS No. 6810
 Date: October 22, 2024

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: 10-22-2024

I, Gwinda Jones, Clerk of the County Court of Erath County, do hereby certify that the foregoing instrument in writing, with its certificate of authentication was filed for record and duly recorded in my office this _____ day of _____, 2024, at _____ o'clock, _____, in the Official Public Records of Erath County, Texas in Document No. _____, Cabinet _____, Slide _____.

TO CERTIFY WHICH, WITNESS my hand and seal at the County Court of Erath County, at my office in Erath 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

REPLAT
LOT R1-B, BLOCK 75
CITY ADDITION

AN ADDITION TO THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS
 BEING A REPLAT OF A LOT 1-B, BLOCK 75, 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

STAFF REPORT



SUBJECT: Case No.: RP2024-006

Applicant Beau Mayo, representing Erath Capital investments, LLC., is requesting a replat of properties located at 1275 N Ivy, Parcel R28919, being BLK. 8, LOT 1 & 2 (W70 OF 1 & 2), 370 E Elm, Parcel R28920, BLK. 8, LOT 1&2 (E70);, 1983 14X60 MH, BRECK, TEX0164537, 05094, 1273 Ivy, Parcel R28921, BLK. 8, LOTSs 3,4,5,6,7,8 & MH, Parcel R78019, BLK. 8; 20' Alley and Parcel R29961 of the S2400 CAGE ADDITION and Parcel R29961, being BLK. 92; LOT 3 (E PT OF) of the S2600 CITY ADDITION to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

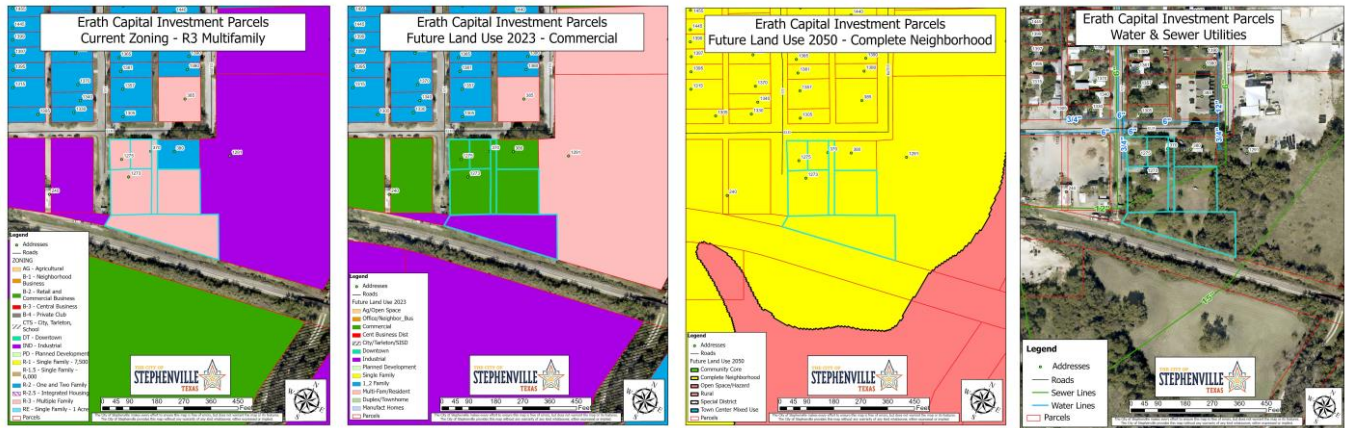
Staff recommend conditional approval. The conditions are as follows:

1. The Preliminary Plat must conform to design requirements and construction standards as set forth in the Engineering Standards Manual.
2. Additional easements as required for Backflow Preventor Assembly Vaults, Access & Utility Easements, retaining wall easements, Floodplain and others that may be required as identified during the review process.
3. Structures may not be placed over easements.
4. Ensure all required Plat language is provided.
5. Provide a signature block for County Clerk.
6. Final Plat to be recorded after acceptance of improvements and floodplain modeling.

BACKGROUND:

On October 19, 2022, the Planning and Zoning Commission, by a vote of 4:1, recommended the rezone of multiple lots from R-2, One and Two Family, and I-Industrial to Multifamily. Subsequently, the City Council, by unanimous vote, approved the rezone of the affected property to R-3.

PROPERTY PROFILE:



Sec. 155.4.08. Replat.

A. Purpose and Applicability.

1. A Replat of all or a portion of a recorded Plat may be approved in accordance with State law without vacation of the recorded Plat, if the Replat:
 - a. Is signed and acknowledged by only the owners of the property being replatted;
 - b. Is approved after a public hearing; and
 - c. Does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded Plat.
2. A Replat shall be subject to approval by the Commission.

B. General Notice and Public Hearing Requirements.

1. Published notice of the public hearings on the Replat Application shall be given in accordance with Section 3.05 if applicable.
 - a. See specific notice and hearing requirements for "Certain" Replats in Section 4.08.F.
2. A public hearing shall be conducted by the Commission on all Replat Applications.

C. Application. The Application for a Replat of a Subdivision shall meet all Application requirements of a Final Plat. The Applicant shall acknowledge that the Replat will not amend or remove any covenants or restrictions previously incorporated in the recorded Plat.

D. Partial Replat Application. If a Replat is submitted for only a portion of a previously platted subdivision, the Replat must reference the previous Subdivision name and recording information, and must state on the Replat the specific lots which are being changed along with a detailed "Purpose for Replat" statement.

E. Criteria for Approval.

1. The Replat of the Subdivision shall meet all review and approval criteria for a Final Plat.
2. The Replat document shall be prepared by a Registered Professional Land Surveyor.

F. Additional Requirements for "Certain" Replats.

1. **Applicability of "Certain" Replats.** Pursuant to Texas Local Government Code Chapter 212.015, a Replat without vacation of the preceding Plat must conform to the requirements of this Section if:
 - a. During the preceding five (5) years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two (2) residential units per lot; or
 - b. Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two (2) residential units per lot.

2. *Notice and Public Hearing Requirements for "Certain" Replats.* Notice of the required public hearing shall be given before the fifteenth (15th) calendar day before the date of the hearing by:
 - a. Publication in an official newspaper or a newspaper of general circulation in the applicable City or unincorporated area (as applicable) in which the proposed Replat property is located; and
 - b. Written notice, with a copy of Section 212.015(c) of the Texas Local Government Code (as amended) attached, forwarded by the City to the owners of lots that are in the original Subdivision and that are within two hundred feet (200') of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a Subdivision within the ETJ, the most recently approved applicable county tax roll of the property upon which the Replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the City.

3. Protest.

- a. If the Replat Application is accompanied by a waiver petition (per 7.01) and is protested in accordance with this Section, approval of the Replat shall require the affirmative vote of at least three-fourths of the voting members of the Commission present at the meeting.
- b. For a legal protest, written instruments signed by the owners of at least twenty percent (20%) of the area of the lots or land immediately adjoining the area covered by the Replat Application and extending two hundred feet (200') from that area, but within the original Subdivision, must be filed with the Commission prior to the close of the public hearing.
- c. The area of streets and alleys shall be included in the area computations.

- G. *Replat Review and Approval.*

1. *Replat.* The review and approval processes for a Replat shall be the same as the review and approval processes for a Final Plat (except for the special public hearing and notice requirements described in Section 3.05).
2. *Minor Replat.*
 - a. Pursuant to Texas Local Government Code 212.0065, a Replat involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities (i.e., a Minor Replat may be approved by the City Administrator in accordance with this Section
 - b. Prior to taking action on a proposed Minor Replat the Planning and Zoning Commission shall hold at least one public hearing thereon. Otherwise, the review and approval process shall be the same as including:
 - i. Deferral to the Commission of a Minor Replat Decision.

- H. *Effect.* Upon approval of the Application, the Replat may be recorded and is controlling over the previously recorded Plat for the portion replatted.

FACTORS TO CONSIDER:

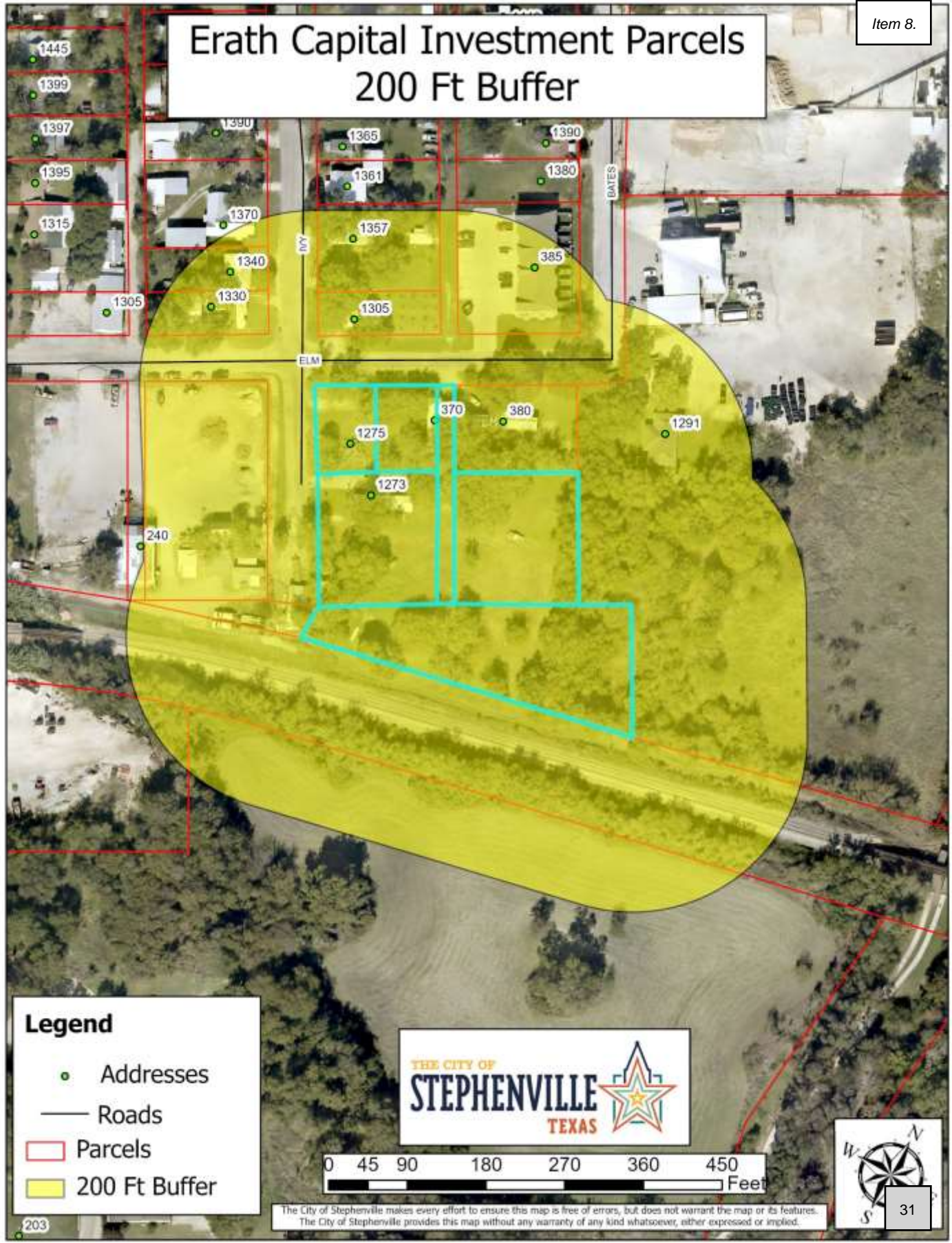
- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

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

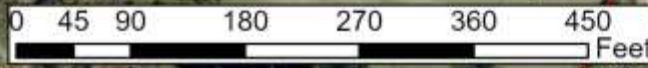
3) Disapprove the replat.

Erath Capital Investment Parcels 200 Ft Buffer



Legend

- Addresses
- Roads
- ▭ Parcels
- 200 Ft Buffer



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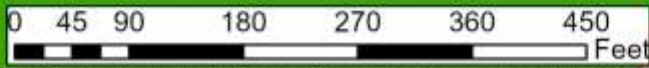


Erath Capital Investment Parcels Current Zoning - R3 Multifamily



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



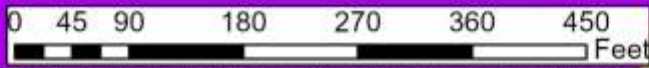
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Erath Capital Investment Parcels Future Land Use 2023 - Commercial



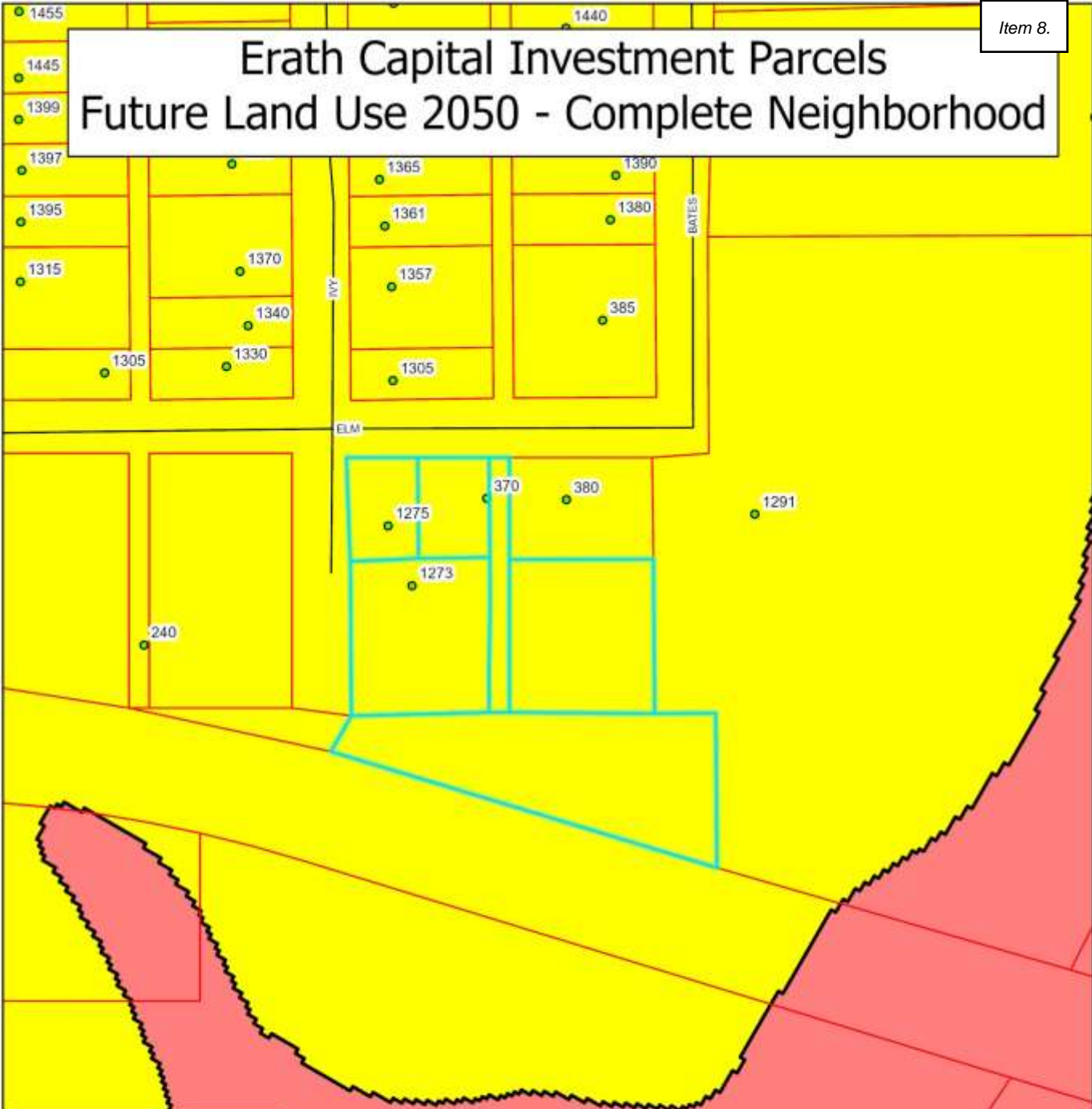
Legend

- Addresses
- Roads
- Future Land Use 2023
- 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
- Parcels



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Erath Capital Investment Parcels Future Land Use 2050 - Complete Neighborhood



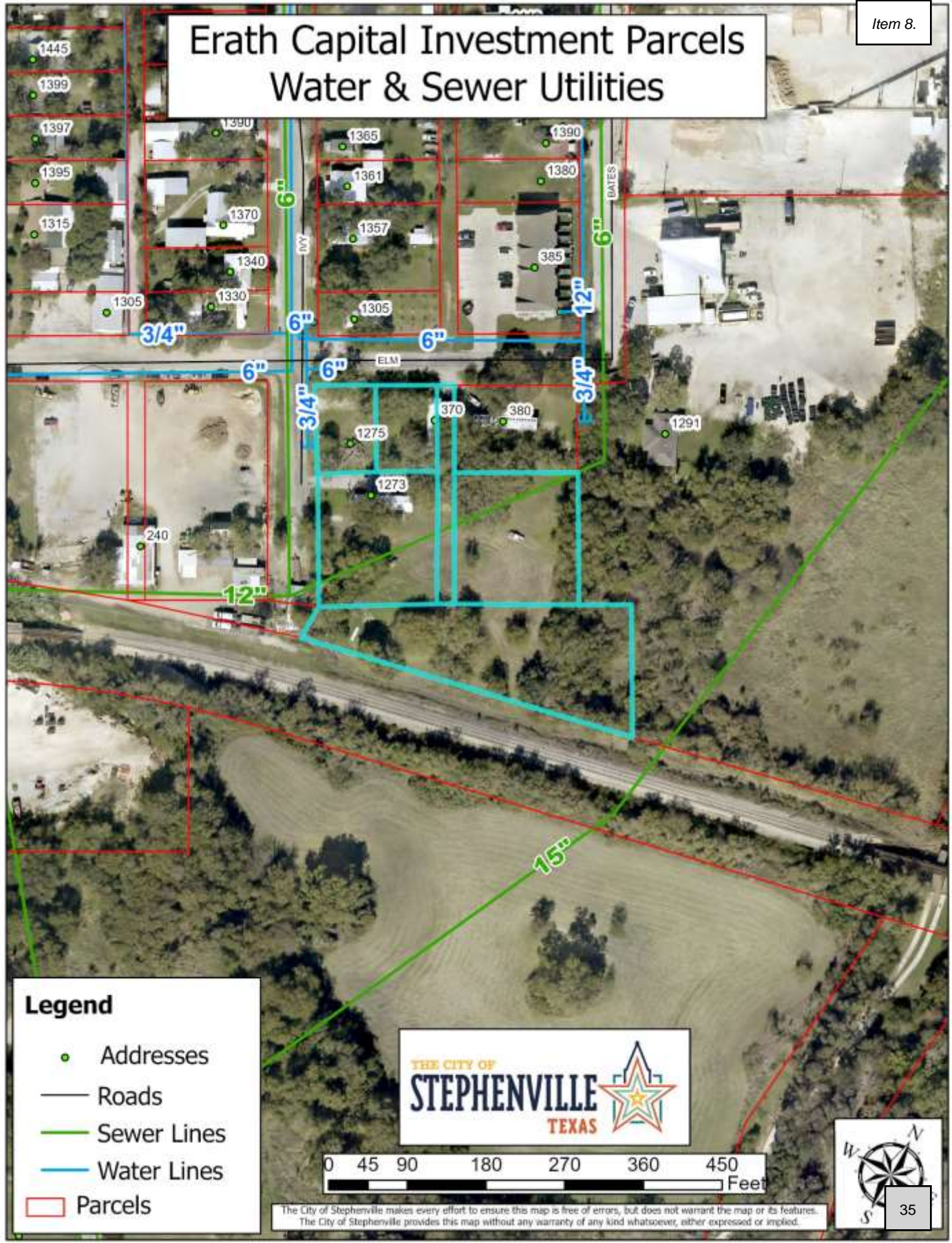
Legend

- Addresses
- Roads
- Future Land Use 2050
- Community Core
- Complete Neighborhood
- Open Space/Hazard
- Rural
- Special District
- Town Center Mixed Use
- Parcels



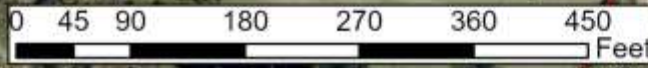
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Erath Capital Investment Parcels Water & Sewer Utilities

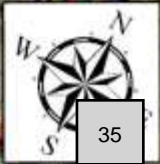


Legend

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



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Parcels for Erath Capital Investments

Item 8.

200 Ft Buffer Address

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000050797	1330 IVY	ADAMS TERRY	1330 N IVY	STEPHENVILLE	TX	76401
R000029966	205 E FREY	CTMS INC	PO BOX 1457	STEPHENVILLE	TX	76401
R000028877	1340 IVY	CURTIS RONNIE & SHAWNA BALDER	1340 IVY ST	STEPHENVILLE	TX	76401
R000028919	1275 IVY	ERATH CAPITAL INVESTMENTS LLC	2699 CR223	STEPHENVILLE	TX	76401
R000028920	378 ELM	ERATH CAPITAL INVESTMENTS LLC	2699 CR223	STEPHENVILLE	TX	76401
R000029961	0 BATES	ERATH CAPITAL INVESTMENTS LLC	2699 CR223	STEPHENVILLE	TX	76401
R000028921	1273 IVY	ERATH CAPITAL INVESTMENTS LLC	2699 CR223	STEPHENVILLE	TX	76401
R000078019	0 ELM	ERATH CAPITAL INVESTMENTS LLC	2699 CR223	STEPHENVILLE	TX	76401
R000014966	0 N PADDOCK & VANDERBILT	FORT WORTH & WESTERN RAILROAD	6300 RIDGLEA PLACE STE 1200	FORT WORTH	TX	76116-5738
R000028860	240 E ELM	HALE BETTY RUTH	1248 N ESTES	STEPHENVILLE	TX	76401-0000
R000029962	0 IVY	HALE BETTY RUTH	1248 N ESTES	STEPHENVILLE	TX	76401-0000
R000028910	1305 IVY	HEATON HAYDEN M AND	1305 N IVY	STEPHENVILLE	TX	76401
R000029960	1291 BATES	IESI TX CORPORATION	PO BOX 819	IOWA PARK	TX	76367-0819
R000028908	1357 IVY	MITCHELL ROSE	497 RETA	STEPHENVILLE	TX	76401
R000029963	1111 N GRAHAM	RAITZ ENTERPRISES INC DBA U.S. SAND & GRAVEL	1111 N GRAHAM ST	STEPHENVILLE	TX	76401
R000028911	385 E ELM	TRAFALGAR HOMES OF TEXAS LLC	PO BOX 65	STEPHENVILLE	TX	76401
R000028924	380 E ELM	VEST HAZEL & BILLY RAY VEST JR	380 E ELM	STEPHENVILLE	TX	76401
R000028878	1370 IVY	WILSON NIKKI	225 COGDELL ST	GRANBURY	TX	76048

STAFF REPORT



SUBJECT: Case No.: RZ2024-019

Applicant Mike McCowan, representing Pete Muzyka and George Grissom, is requesting a rezone of property located at 0 CR 256, Parcel R19796, being approximately 212 acres of A0342 H C Hudson of the City of Stephenville, Erath County, Texas from AG-Agricultural to R-2.5- Integrated Housing.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

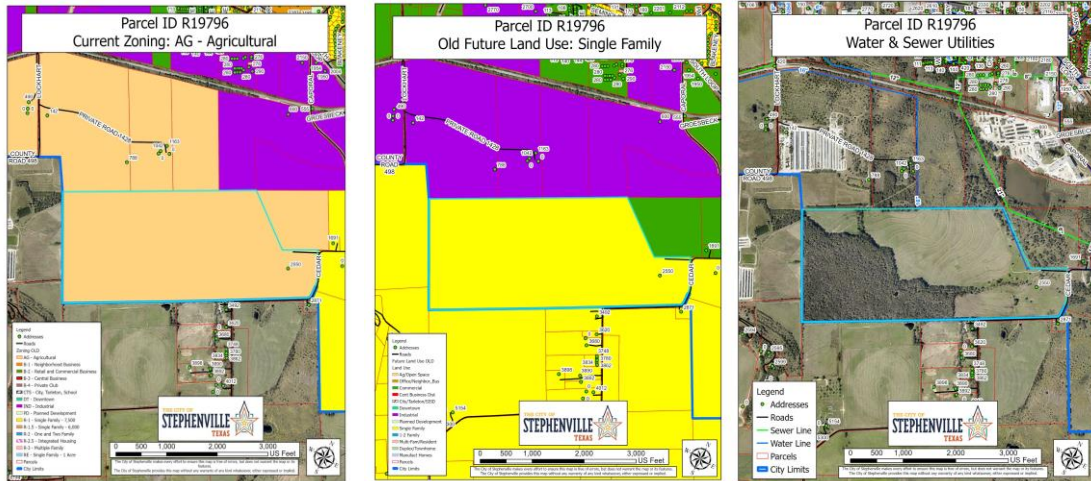
RECOMMENDATION:

To provide the City Council with a recommendation for the rezone request.

BACKGROUND:

The applicant is requesting a rezone for future development of single-family homes. Water and sewer utilities are available in the vicinity. The Developers are aware that easements may be necessary to extend service lines, and that right-of-way dedication will be necessary for road improvements.

PROPERTY PROFILE:



Complete Neighborhood

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



Sec. 154.05.8 Integrated housing district (R-2.5).

5.8.A Description. This integrated residential housing district provides for medium-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, patio homes, condominiums and townhomes. Generally, this district is for developments resulting in individually platted homes or dwelling units and generally, owner occupied. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the aesthetic and functional well-being of the intended district environment. The Integrated Housing District will be applicable to all Residential Districts, B-1 Neighborhood Business District (B-1), Central Business District (B-3), and Downtown District (DT).

5.8.B Permitted Uses.

1. Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals.
2. Two-to-four family dwellings, with each family limited as in division (1) above;
3. Townhouse dwellings, with each family limited as in division (1) above;
4. Condominium dwellings, with each family limited as in division (1) above;

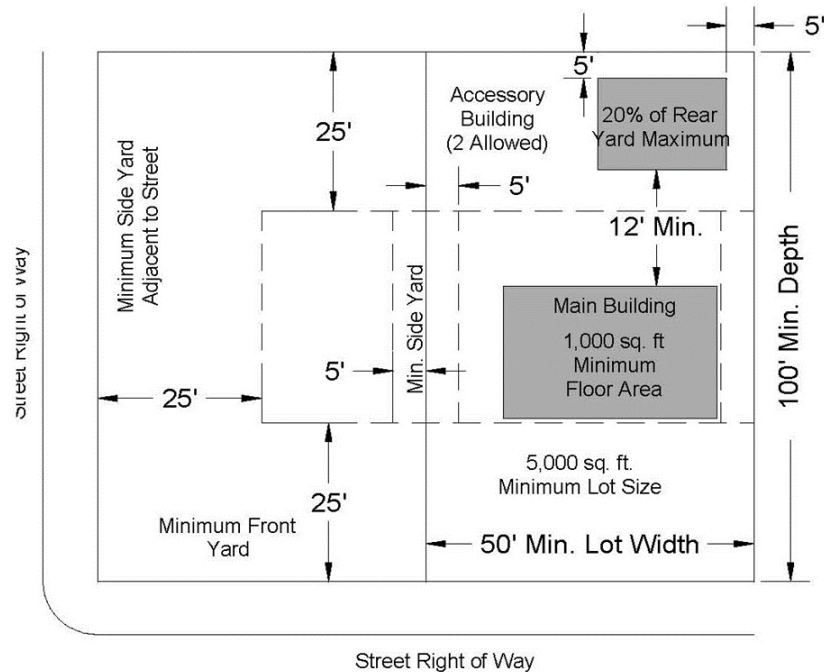
5.8.C Conditional Uses.

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

5.8.D Height, Area, Yard and Lot Coverage Requirements.

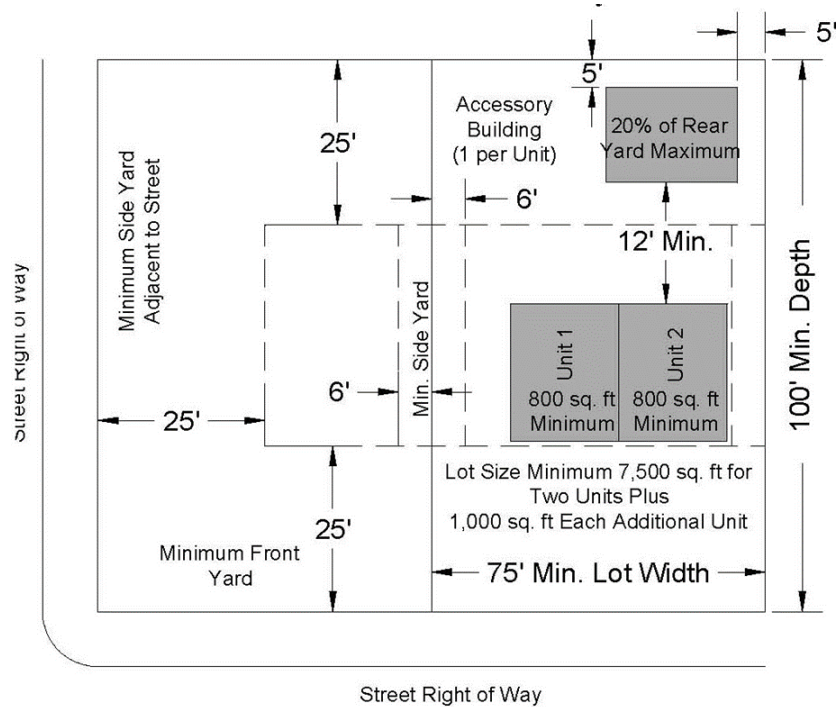
- A. Single family dwelling.
 1. Minimum lot area: 3,000 ft².
 2. Minimum lot width and lot frontage: 50 feet.
 3. Minimum lot depth: 60 feet.
 4. Minimum depth of front setback: 15 feet.
 5. Minimum depth of rear setback: 15 feet.
 6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
 7. Building size:
 - a. Maximum coverage as a percentage of lot area: 40%.
 - b. Single family dwelling: 1,000 ft².
 8. Accessory buildings:
 - a. Maximum accessory buildings coverage of rear yard: 20%.
 - b. Maximum number of accessory buildings: one.
 - c. Minimum depth of side setback: five feet.
 - d. Minimum depth of rear setback: five feet.
 - e. Minimum depth from the edge of the main building: 12 feet.

9. Maximum height of structures: 35 feet.
10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



- B. Two-to-four family.
 1. Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² 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: 15 feet.
 5. Minimum depth of rear setback: 15 feet.
 6. Minimum width of side setback:
 - a. Internal lot: six feet.
 - b. Corner lot: 15 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 ft².
 8. Accessory buildings:
 - a. Maximum accessory building coverage of rear yard: 20%.
 - b. Maximum area of each accessory building: 200 ft².
 - 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 ft² per unit.
2. Minimum average lot width and lot frontage: 30 feet.
3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
 - a. Maximum building coverage as a percentage of lot area: 40%
 - b. Minimum area of each Townhouse dwelling unit: 800 ft².
 - c. Minimum area of each Condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
8. Accessory buildings:
 - a. Maximum accessory building coverage of rear yard: 20%.
 - b. Maximum area of each accessory building: 200 ft².
 - 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.
- 11. Maximum density of Townhome or Condominium Housing within the R-2.5 District shall not exceed 14 units per acres with each unit platted separately.
- 12. Deviations from the required standards within the R-2.5 district will be subject to site plan review by the Planning and Zoning Commission and subsequent approval by City Council. Site plans should include renderings with elevations, a finish schedule and incorporate architectural designs that complement the existing structures of the area of integration.

5.8.E Parking Regulations. Lots in this District shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 154.11 *Parking spaces for vehicles* of this ordinance.

(Ord. No. 2021-O-28 , § 1, passed 9-7-2021)

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve.

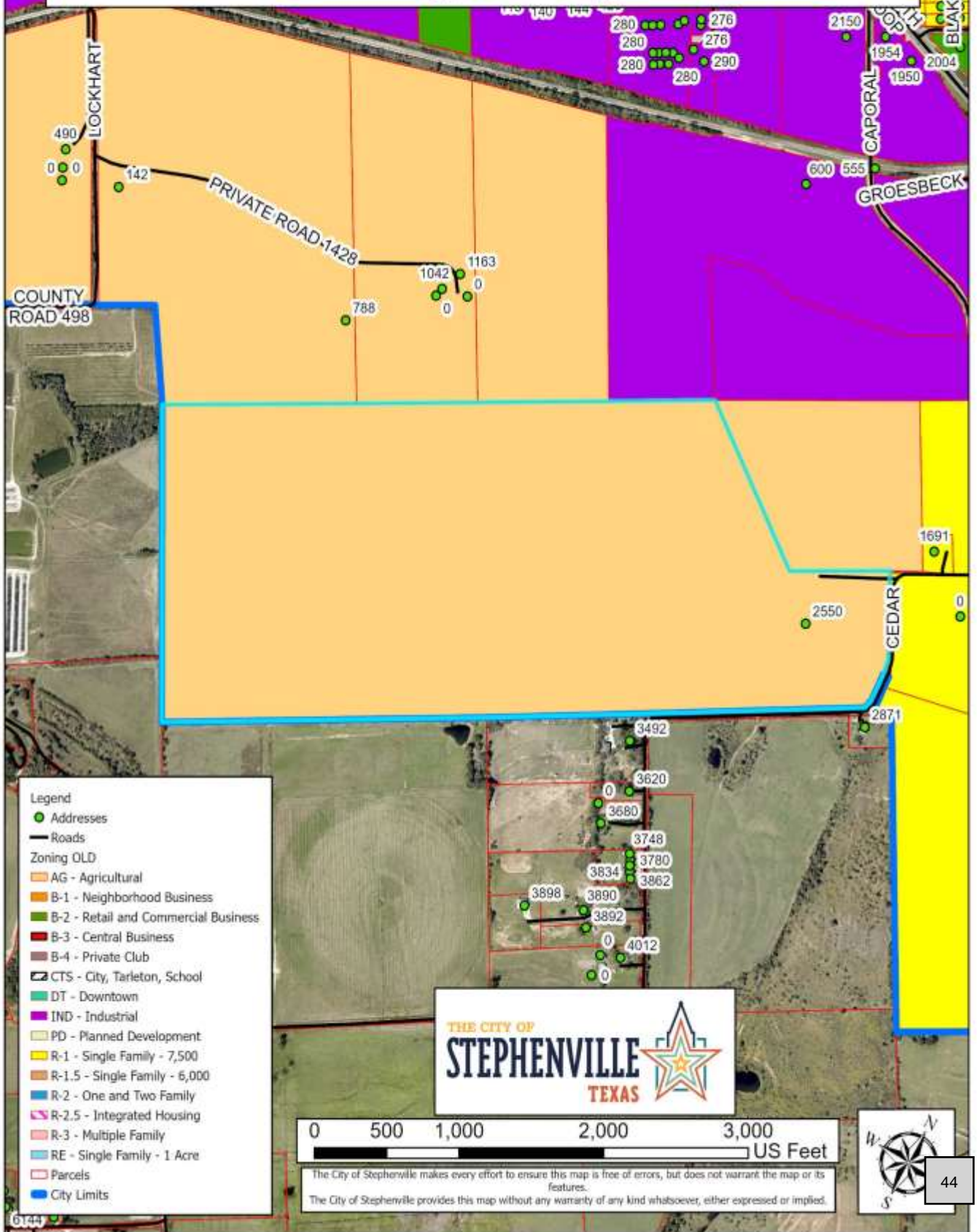
ALTERNATIVES:

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

Parcel ID R19796

Item 11.

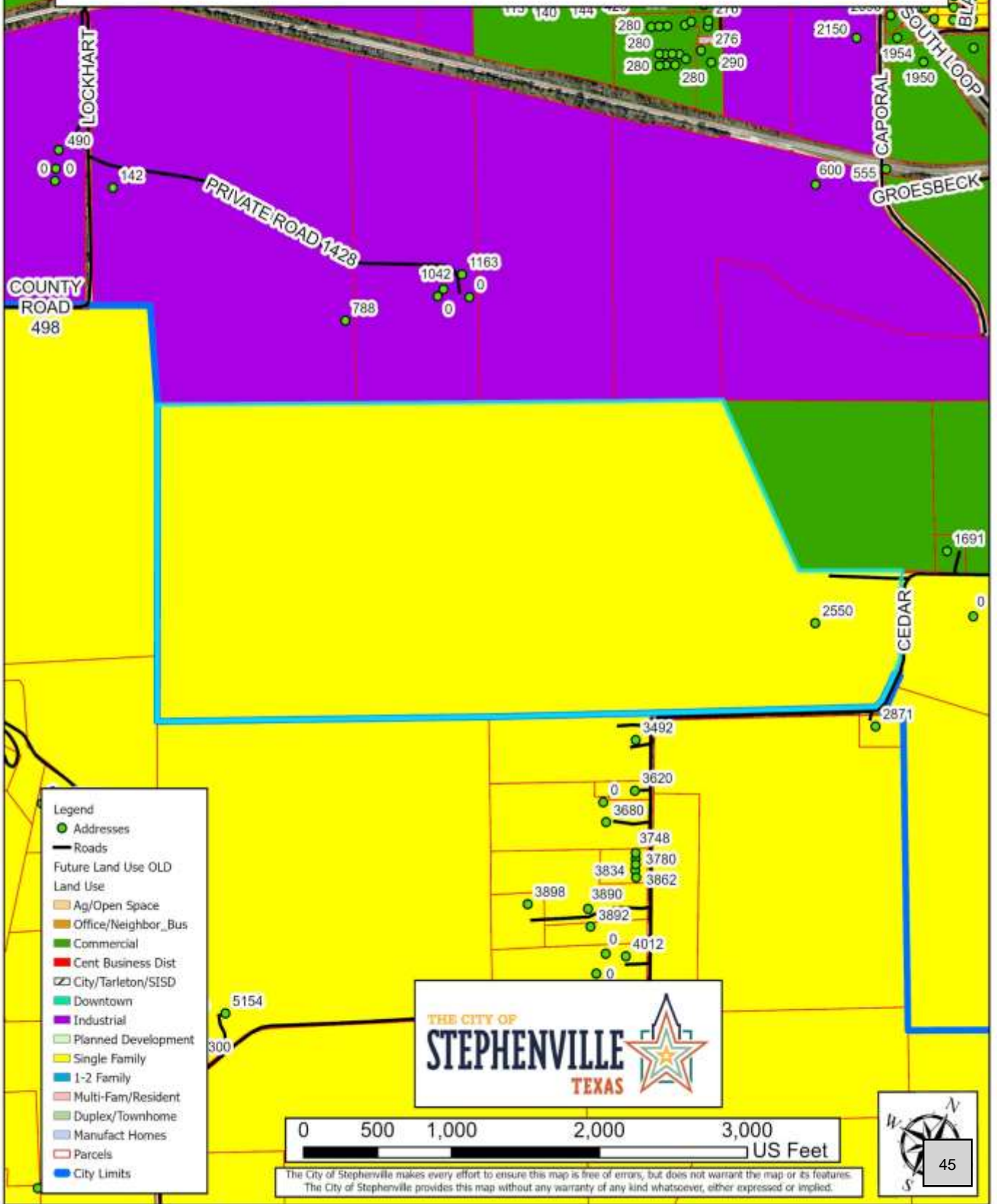
Current Zoning: AG - Agricultural



Parcel ID R19796

Item 11.

Old Future Land Use: Single Family



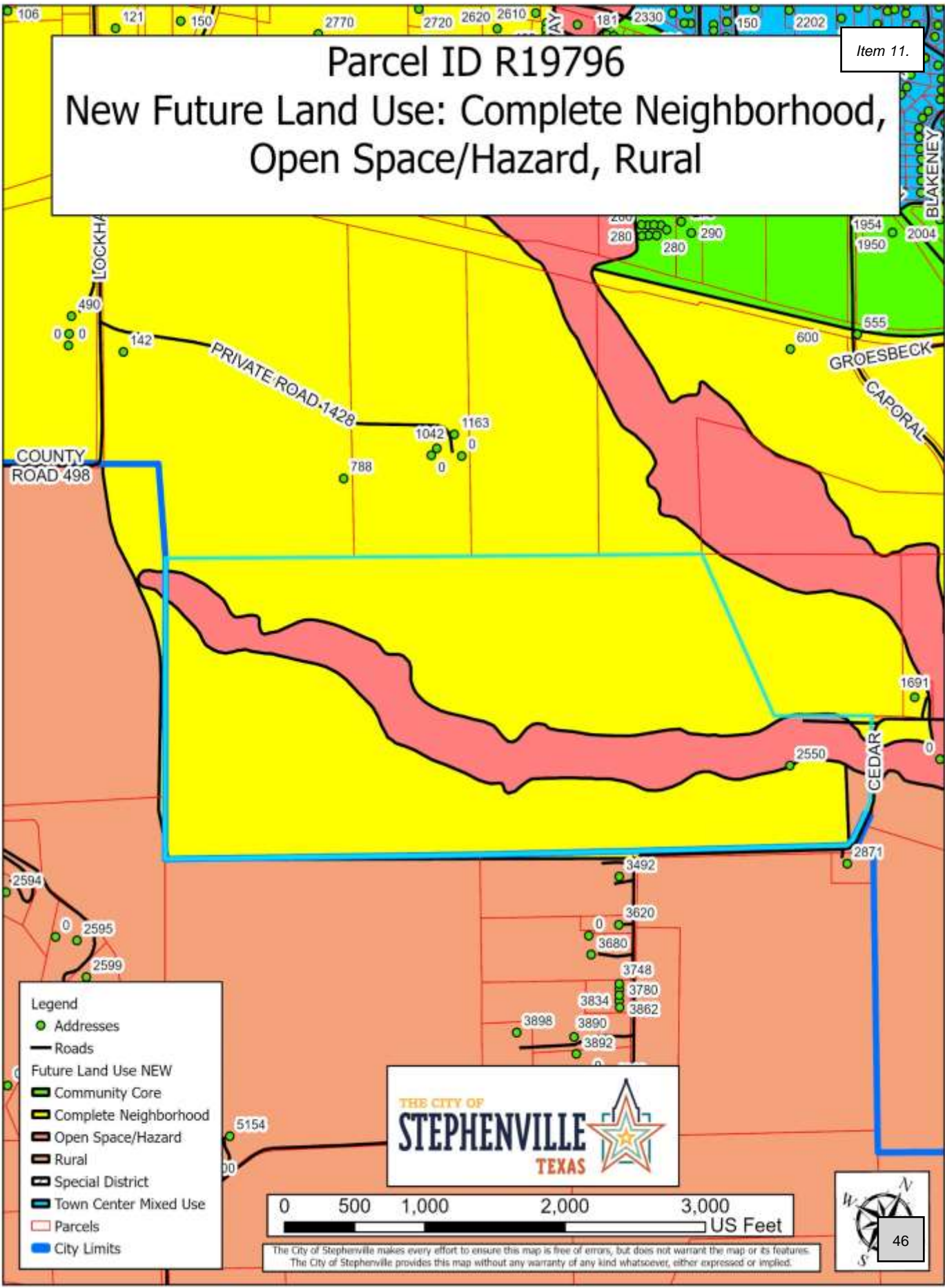
- Legend
- Addresses
- Roads
- Future Land Use OLD
- Land Use
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
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- Single Family
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- Multi-Fam/Resident
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- Manufact Homes
- Parcels
- City Limits



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Parcel ID R19796

New Future Land Use: Complete Neighborhood, Open Space/Hazard, Rural



Legend

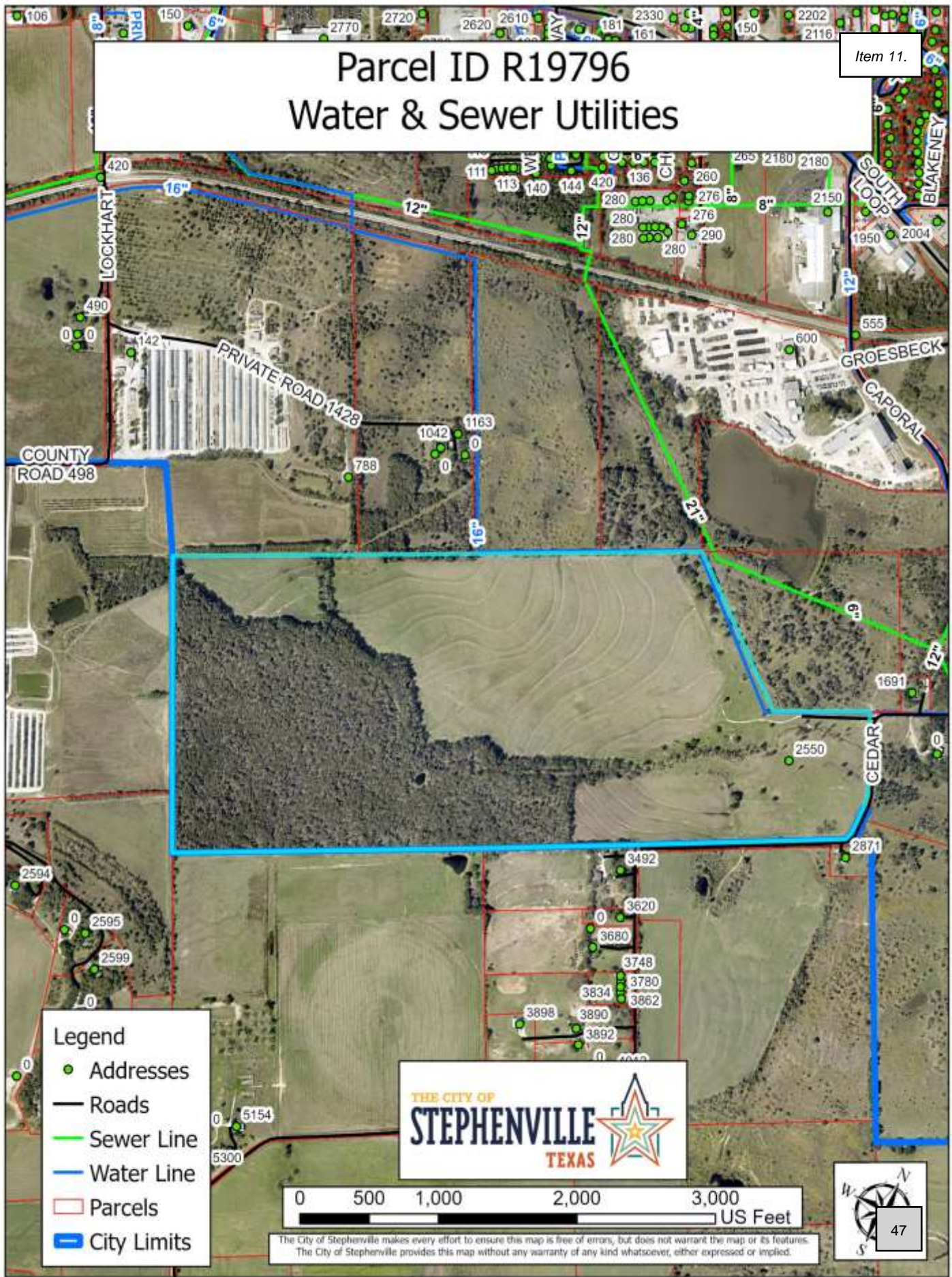
- Addresses
- Roads
- Future Land Use NEW
- Community Core
- Complete Neighborhood
- Open Space/Hazard
- Rural
- Special District
- Town Center Mixed Use
- Parcels
- City Limits



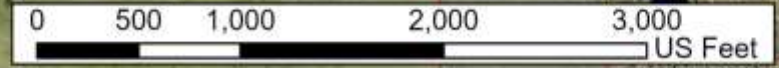
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Parcel ID R19796 Water & Sewer Utilities

Item 11.



- Legend**
- Addresses
 - Roads
 - Sewer Line
 - Water Line
 - Parcels
 - City Limits



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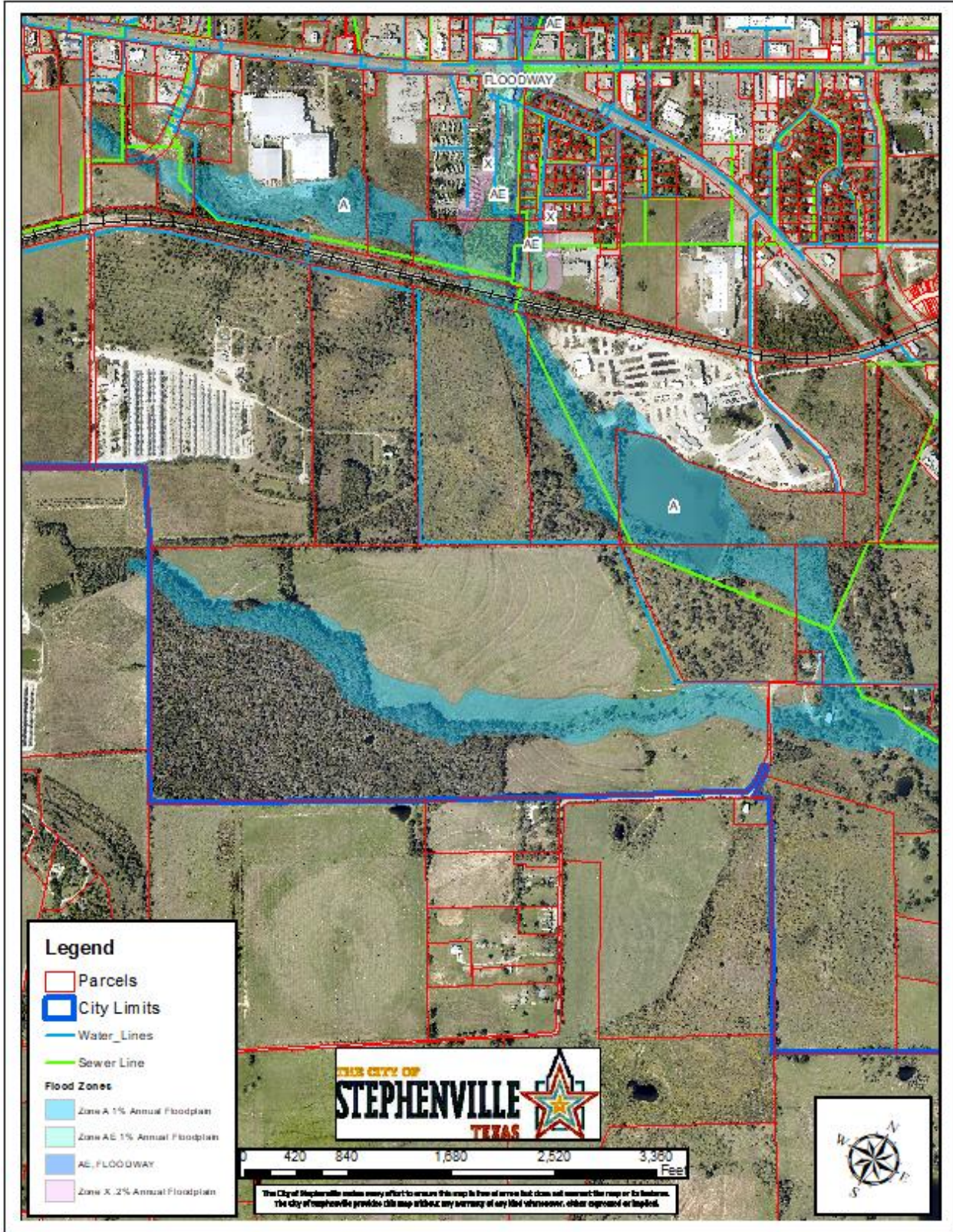


Parcel ID 19796

200 Ft Buffer Addresses

Item 11.

Parcel ID	Parcel Address	Owner	Address	City	State	Zip Code
R000015745	0 CR498	ALLEN A+ RANCH LP	PO BOX 953	STEPHENVILLE	TX	76401
R000022341	142 PR1428 OFF LOCKHART RD	ALLEN A+ RANCH LP	PO BOX 953	STEPHENVILLE	TX	76401
R000055789	0 CR498	ALLEN A+ RANCH LP	PO BOX 953	STEPHENVILLE	TX	76401
R000019793	1620 W CEDAR ST	COLLIER NATHAN & KRISTIN	997 N LYDIA	STEPHENVILLE	TX	76401
R000019799	3492 CR256	EAVES KIRBY BEN	3492 CR256	STEPHENVILLE	TX	76401
R000019844	2871 CR256	GAINES GARY LYNN	2871 CR256	STEPHENVILLE	TX	76401
R000019789	0 CR256	LEE J RALPH & LINDA	PO BOX 24	HAMILTON	TX	76531
R000071064	0 CR256	LEE J RALPH & LINDA	PO BOX 24	HAMILTON	TX	76531
R000019796	0 CR256	MUZYKA LOUIS & GEORGE GRISSOM	4259 CR204	ALVARADO	TX	76009
R000030527	600 CAPORAL DR	PARAGON SOUTH LLC	3378 W HWY 117	SAPULPA	OK	74066
R000019784	5154 CR256	PRINCESS ENTERPRISES LLC	6182 FM2303	STEPHENVILLE	TX	76401
R000022359	1042 PR1428 OFF LOCKHART RD	REDDOCH C WINSETT & GAIL	8148 CR176	STEPHENVILLE	TX	76401-9635
R000022380	1163 PR1428 OFF CR498	REDDOCH C WINSETT & GAIL	8148 CR176	STEPHENVILLE	TX	76401-9635
R000076555	0 CR256 (OFF)	ROSE CRAIG R & NADINE	1748 DIANA LN	STEPHENVILLE	TX	76401
R000019843	0 CR256	ROSE ROBERT R & LISA K & CRAIG R	1416 PECAN HILL ROAD	STEPHENVILLE	TX	76401





STAFF REPORT

SUBJECT: Case No.: PD2023-001 – UPDATE DECEMBER 2024

Applicant Reagan Thompson, representing TSU Catholic, LLC., is providing an update to the Planned Development (PD) for property located at 1292 W Washington, Parcel R77944, being BLK. 134, LOTS 12;18;30B;31 (PTS OF), 1334 W Washington, Parcel R30249, being BLK . 134, LOT 40, ATM MACHINE, 1350 W Washington, Parcel R30251, being BLK. 134; LOTS 1;5;28, 1303 McNeill, Parcel R30272, being BLK. 134, LOT 32, 1345 McNeill, Parcel R30271, being BLK. 134; LOT 31 (S150) and 1353 McNeil, Parcel R30270, being BLK. 1.34, 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:

To review the updated development schedule. Should the update not be acceptable, forward to the City Council with an appropriate recommendation.

BACKGROUND:

The Planning and Zoning Commission convened April 19, 2023, and by unanimous vote, recommended approval of the Planned Development. Subsequently, on May 2, 2023, the City Council approved Ordinance No. 2023-O-09, rezoning the property from B-1, Neighborhood Business and B-2, Retail and Commercial, to Planned Development District (PD).

City ordinance requires annual updates to the Commission.

The Planning and Zoning Commission may, if in its opinion the owner or owners of the property are failing or have failed to meet the approved development schedule, initiate proceedings to amend the Official Zoning map or the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. After the recommendation of the Planning and Zoning commission and for good cause shown by the owner and developer, the City Council may extend the development schedule as may be indicated by the facts and conditions of the case.

Sec. 154.08. Planned development district (PD).

8.A Description.

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

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

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

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

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

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

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

8.C Prohibited Uses.

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

- (3) Any use deemed by the City Council as being detrimental to the health, safety or general welfare of the citizens of Stephenville.

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

8.E Development Schedule.

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

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

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

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

8.I Approval Procedures.

- (1) An application for development plan approval shall be filed with the Director of Community Development accompanied by a development plan.
- (2) The procedures for hearing a request for a zoning change to "PD" shall be the same as for a requested change to any other district as set forth Section 20 of the Zoning Ordinance.
- (3) Any substantive revision to a development plan between the public hearing before the Planning and Zoning Commission and the public hearing before the City Council shall necessitate the development plan being referred back to the Planning and Zoning Commission for review and

evaluation unless the revision constitutes a minor change as provided below, or the change was condition of the approval.

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

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

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

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

8.K Conditions for Development Plan Approval.

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

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

8.M Revocation.

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

- (c) The parking requirements of the Zoning Ordinance shall apply to all uses in the "PD" District unless otherwise specified on the development plan; and
- (d) "PD" provisions may vary setbacks with approval.

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Accept the update to the development schedule.
- 2) Reject the update and initiate proceedings.

Steve Killen

From: Reagan Thompson <reagan@reloadcap.com>
Sent: Monday, December 16, 2024 11:39 AM
To: Steve Killen
Subject: "[EXTERNAL]" Re: "[EXTERNAL]" PD update

Steve - thank you sir.

We respectfully request an extension, and will be back to provide additional updates

Thank you

Reagan Thompson
Founder & Principal
Reload Capital | Reload Development
(281) 881-1384

On Dec 13, 2024, at 2:24 PM, Steve Killen <SKillen@stephenvilletx.gov> wrote:

Regan,

Please send me a development schedule update that you feel comfortable being uploaded to the packet. If I can get this by Monday it would be greatly appreciated.

Thanks,

Steve Killen
Director of Development Services
T: (254) 918-1222 | M: (214) 677-8352
E: skillen@stephenvilletx.gov W: www.stephenvilletx.gov

This email contains the thoughts and opinions of Steve Killen and does not represent official city policy.

Attention Public Officials: Reply All to this email could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

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-----Original Message-----

From: Reagan Thompson <reagan@reloadcap.com>

Sent: Wednesday, November 20, 2024 3:39 PM

To: Steve Killen <SKillen@stephenvilletx.gov>

Subject: “[EXTERNAL]” PD update

Steve - hey sir and hope you're doing well gearing up for thanksgiving, and cooler weather.

Wanted to provide a current update for the PD, we are actively checking market conditions, and simply ask for an extension until the next annual update?

Thank you for your patience and appreciate yall greatly.

Respectfully sent ,

Reagan Thompson
Founder & Principal
Reload Capital | Reload Development
(281) 881-1384

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