



PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington
Wednesday, May 18, 2022, at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, May 18, 2022 at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular Business Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

COMMISSIONERS PRESENT: Lisa LaTouche, Chairperson
Brian Lesley, Vice Chair
Justin Allison
Bruce Delater
Mary Beach McGuire
Nick Robinson

COMMISSIONERS ABSENT: Tom Hines

OTHERS ATTENDING: Steve Killen, Director of Development Services
Tina Cox, Commission Secretary

CALL TO ORDER

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

MINUTES

- 1. Consider Approval of Minutes – April 20, 2022**
MOTION by Mary Beach McGuire, second by Nick Robinson to approve the minutes for April 20, 2022.
MOTION CARRIED by unanimous vote.
- 2. Consider Approval of Minutes – May 4, 2022**
MOTION by Mary Beach McGuire, second by Brian Lesley to approve the minutes for May 4, 2022.
MOTION CARRIED by unanimous vote with Bruce Delater abstaining.

PUBLIC HEARING

- 3. Case No.: PD2022-005 Applicant Tom Brooks, representing Covenant Legacy LLC, is requesting a rezone of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (PD) Planned Development. The rezone is for 7.664 acres of the 29.751 acres. The applicant will present a conceptual plan.**

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the Applicant is now requesting to rezone the property to a Planned Development (PD). Mr. Killen reminded the commission that they were to review and make recommendations to the conceptual plan.

Mr. Killen concluded with the statement that the applicant will return for the rezone to a Planned Development District and the approval of the development plan at a later date.

Mr. Wade Bienski was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward in favor of request.

Mark Kaiser, 111 Blue Jay, speaking against for the following petitioners:

Aaron Grimmer, 103 Blue Jay

Perter Corta, 105 Blue Jay

Holly Hodges, 104 Blue Jay

Pamela Boyles, 106 Blue Jay

Lace Phillips, 108 Blue Jay

Corey Moses, 113 Blue Jay

Katie Moses, 113 Blue Jay

Sandra Hill, 114 Blue Jay

Sandra Fisher, 121 Blue Jay

Charles Bradshaw, 120 Blue Jay

Cameron Chance, 123 Blue Jay

Randy Smith, 116 Blue Jay

Sherry Dickerson, 124 Blue Jay

Josh Emmons, 129 Blue Jay

Josh Basham, 130 Blue Jay

Gayla Garner, 136 Blue Jay

Becky Hodges, 112 Blue Jay

Louis Garcia, 145 Blue Jay

Vince Lewallen, 149 Blue Jay

Beth Lewallen, 149 Blue Jay

Dell Goodwin, 151 Blue Jay

James Stephenson, 135 Blue Jay, came forward to speak against request.

James Bucher, 101 Blue Jay, came forward to speak against request.

Kristy Allen, 117 Blue Jay, came forward to speak against request.

Netta Faye Howard, 109 Blue Jay, came forward to speak against request.

Brenda Guise, 713 Spring Meadow, came forward to speak against request.

David Guise, 713 Spring Meadow, came forward to speak against request.

Russ McDaniel, 143 Blue Jay, sent a letter against request.

Chairperson LaTouche closed the public hearing.

No Action required.

4. Case No.: PD2022-006

Applicant Tom Brooks, representing Covenant Legacy LLP, is requesting a rezone of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (B-2) Retail and Commercial District. The rezone is for 2.119 acres of the 29.751 acres.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the applicant has retracted previous submittals from April, 2022. The applicant is now presenting two submittals relating to the parcel. If the rezoning is approved, the applicant will return for the replat. Applicant is requesting to rezone property to allow approximately 2.2 acres for retail and commercial development at the NW corner of the parcel, with frontage on W. Lingleville road. The current parcel surrounds an existing assisted living and memory care facility with an overhead utility easement that bisects the property southeast of the existing facility. An adjacent parcel with Lingleville Hwy frontage is currently zoned B-1, Neighborhood Business District, with future land use being commercial. Mr. Killen concluded his brief by stating that the Comprehensive Plan for future land use designated the property to be Single Family Residential (R-1).

Mr. Wade Bienski was present to answer any questions.

Chairperson LaTouche opened the public hearing.

Wade Bienski came forward in favor of request.

Mark Kaiser, 111 Blue Jay, speaking against for the following petitioners:

Perter Corta, 105 Blue Jay

Holly Hodges, 104 Blue Jay

Pamela Boyles, 106 Blue Jay

Lace Phillips, 108 Blue Jay

Corey Moses, 113 Blue Jay

Katie Moses, 113 Blue Jay

Sandra Hill, 114 Blue Jay

Sandra Fisher, 121 Blue Jay

Charles Bradshaw, 120 Blue Jay

Cameron Chance, 123 Blue Jay

Randy Smith, 116 Blue Jay

Sherry Dickerson, 124 Blue Jay

Josh Emmons, 129 Blue Jay

Josh Basham, 130 Blue Jay

Gayla Garner, 136 Blue Jay

Becky Hodges, 112 Blue Jay

Louis Garcia, 145 Blue Jay

Vince Lewallen, 149 Blue Jay

Beth Lewallen, 149 Blue Jay

Dell Goodwin, 151 Blue Jay

James Stephenson, 135 Blue Jay, came forward to speak against request.

James Bucher, 101 Blue Jay, came forward to speak against request.

Kristy Allen, 117 Blue Jay, came forward to speak against request.

Netta Faye Howard, 109 Blue Jay, came forward to speak against request.

Brenda Guise, 713 Spring Meadow, came forward to speak against request.

David Guise, 713 Spring Meadow, came forward to speak against request.

MOTION by Brian Lesley, second by Mar Beach McGuire, to deny Case No. RZ2022-006 and forward a negative recommendation to Council. MOTION CARRIED by unanimous vote.

5. Case No.: CP2022-001

Applicant Collin Parsons is requesting a Conditional Use permit for a home occupation to be operated at 1317 Inglewood Drive, Parcel R31164, being Lot 2 & 3 of Block 1 of the Dale Avenue North Addition to the City of Stephenville, Erath County, Texas.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the applicant is requesting a conditional use permit to allow a home occupation for firearm sales. In May, 2021, a similar request was approved for a residential property in Golf Country Estates. In that case, the Bureau of Alcohol, Tobacco, and Firearms (ATF) was considering license revocation for the following requirements set forth by the Bureau:

1. Any transaction involving firearm transfers must occur at the locale listed on the licensee's application and;
2. The licensee must comply with all local ordinance and regulations and therefore,
3. The applicant was deemed to be in violation as City Ordinance prohibits home occupations that result in the generation of significant traffic to the property.

On May 13, 2022, staff contacted the ATF and confirmed that they will not issue a permit from their office unless the local municipality approves the use. If the request is approved, Staff recommends the Conditional Use be granted with the stipulation that the use must comply with all criteria applicable to home occupations and violation thereof will result in revocation. Mr. Killen concluded his brief by stating that staff supports the request.

Applicant Collin parsons was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Lesley, second by Nick Robinson, to approve Case No. CP2022-001 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

6. Case No.: RZ2022-011

Applicant Ryan Studdard, authorized representative of Preshcer Custom Homes, is requesting a rezone of property located at 715 Miller, Parcel R32524, being Block 2, Lot 2 & 3 (S PT of 3) of the Miller Addition to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (R-1) Single Family Residential.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that the applicant is rezoning the property in order to build a 1,500 square foot residence. Mr. Killen concluded his brief by stating that the Comprehensive Plan for future land use designates this property to be single family and that staff supports the request.

Applicant Ryan Studdard was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Nick Robinson, to approve Case No. RZ2022-011 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

7. Case No.: PD2022-001

Applicant 2828 Real Estate LLC is requesting a rezoning from Single Family Residential District (R-1) to Planned Development (PD) for address 1300 Pecan Hill Drive, Parcel R50244, 1.190 Acres S5465 Glasgow Addition, Lot 1, of the City of Stephenville, Erath County, Texas.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen stated that a conceptual plan for the proposed Planned Development District was presented at the April, 2022 meeting. The applicant is now requesting approval of rezoning and the development plan. The applicant has met all requirements of a Planned Development. Mr. Killen concluded his briefing with stating that staff supports this request.

Applicant Justin Haschke was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward for or against the request.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Brian Lesley, to approve Case No. PD2022-001 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

8. Case No.: PD2022-003

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezoning of property located at 157 W. Washington, Parcel R29179, being Block 5, Lot C of City Addition to the City of Stephenville, Erath County, Texas, from (DT) Downtown to (PD) Planned Development. The applicant will present a conceptual plan.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen reminded the commissioners that they were to review and make recommendations to the conceptual plan. The applicant will return for the rezone to a Planned Development District and the approval of the development plan.

Applicant Scott Allen was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

No Action taken.

9. Case No.: PD2022-004

Applicant Scott Allen, representing Stephenville Rentals LLC, is requesting a rezone of property located at 171 W. Washington, Parcel R29178, being Block 5, Lot B of City Addition to the City of Stephenville, Erath County, Texas, from (DT) Downtown to (PD) Planned Development. The applicant will present a conceptual plan.

Steve Killen, Development Services Director, briefed the commission on the case. Mr. Killen Mr. Killen reminded the commissioners that they were to review and make recommendations to the conceptual plan. The applicant will return for the rezone to a Planned Development District and the approval of the development plan.

Applicant Scott Allen was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against.

Chairperson LaTouche closed the public hearing.

No Action taken.

The meeting was adjourned at 7:13 p.m.

APPROVED:

Lisa LaTouche, Chair

ATTEST:

Tina Cox, Commission Secretary