



PLANNING AND ZONING COMMISSION

City Hall Council Chambers, 298 W. Washington
Wednesday, May 19, 2021 at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on May 19, 2021 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
Bruce Delater
Justin Allison
Cliff McCrury
Brian Lesley
Todd McEvoy

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 21, 2021**
MOTION by Brian Lesley, second by Cliff McCrury, to approve the minutes for April 21, 2021.
MOTION CARRIED by unanimous vote.

PUBLIC HEARINGS

- 5. Case No.: RP2021-001**

Applicant Matthew Hilbig with KFW Engineering, representing EG Tejas, LLC, is requesting a replat of properties located at 2798 W. Washington, being Parcels R22338 and R22351 of the MOTLEY WILLIAM ABSTRACT, Parcel R76366 of CITY ADDTION, BLOCK 157, LOT 12 (PT. OF) and Parcel R22391 of CITY ADDITION, BLOCK 157, LOT 10, of the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that this is a preliminary plat with a center that will have tenant use that will comply with the permitted uses that are allowed in an Industrial Zone. Mr. Killen stated that the majority of the development will be restaurants. The future land use is Commercial with one parcel maintaining the current Industrial zoning. Mr. Killen shared with the Commission that the property is served by adequate water and sewer connections. Mr. Killen concluded his brief with providing to the commission the information that this

preliminary plat will take four lots and combine them into nine lots with two lots being set apart for drainage purposes.

Armando Niebla, representing KFW engineers, stated that the plans that were the Commission are the most recent. He also stated that this project has been two years in the development stage and they feel confident that the flood plain and traffic issues have been resolved.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of the replat request.

Don Cohn spoke against the replat, expressing his concerns regarding drainage issues, property values and the masterplan.

Chairperson LaTouche closed the public hearing.

MOTION by Todd McEvoy, second by Brian Lesley, to approve Case No. RP2021-001 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

6. Case No.: RZ2021-008

Applicant Tobiah and Mandy O’Neal are requesting a rezone of property located at 1065 W. Frey, Parcel R32261, of KIGHT SECOND ADDITION, BLOCK 5, LOT 2, of the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (R-3) Multifamily.

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the applicant wants to rezone the property from R-1 to R-3 for its highest and best use possible. This property is currently zoned R-1 Single Family Residential and the future land use is R-1 as well. The property has adequate water and sewer. Mr. Killen shared with the Commission that there are two letters of opposition to the case. Those letters were from Scott Hooper and Brad and Melody Warmerdam.

Tobiah O’Neal, applicant, stated that he wanted to start renovations on the mansion while maintaining control over the back half of the property in regards to future development. He assured the Commission that the mansion will have deed restrictions so that it will not be demolished.

After discussion with the Commission, applicant requested that the case be tabled until the next Planning and Zoning meeting.

No action taken.

9. Case No.: RZ2021-009

Applicant Tobiah O’Neal, representing Ontade LLC, is requesting a rezone of property located at 1083 Frey, Parcel R32260, of KIGHT SECOND ADDITION, BLOCK 5, LOT 1, of the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (R-3) Multifamily.

After discussion with the Commission, applicant requested that the case be tabled until the next Planning and Zoning meeting.

No action taken.

10. Case No.: RZ2021-010

Applicant, Oakdale United Methodist Non-Profit, representing Oakdale United Methodist Church, is requesting a rezone of property located at 2675 W. Overhill Drive, Parcel R22423, of A0515 MOTLEY WILLIAM, of the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (B-1) Neighborhood Business.

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the property is intended to be Neighborhood Business according to the comprehensive plan and that the current zoning on this property is (R-1) and does not permit medical office strip center which is what the applicant would like to open. Staff recommends approval of the rezone request as it is a requirement set forth by city ordinance.

Chairperson LaTouche opened the public hearing.

Rhyné Gailey, contractor for Oakdale Methodist Church, spoke in favor of the rezone request.

Corey Cook, pastor of Oakdale Methodist Church, spoke in favor of the rezone request.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Brian Leslie, to approve Case No. RZ2021-010 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

11. Case No.: PD2021-001

Property owner Taylor Kanute of Harbin Street LLC is requesting a rezone of property 0 S. Harbin Drive, Parcel R73763, of SOUTH SIDE ADDITION, BLOCK 19, LOT 15, of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development.

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that Mr. Kanute presented a conceptual plan to the Planning and Zoning Commission on March 17, 2021. Mr. Killen wanted it to be noted that the PD request has changed in nature from the original conceptual plan and the property will need to be replatted into two parcels to allow the rezoning necessary for the current and future project. Mr. Killen concluded by stating that by City ordinance, a request to rezone is to be acted upon prior to replatting; therefore, should the Commission recommend approval of the request, it is suggested that the approval be upon the condition that a replat is to be completed within 30 days of the final action to approve.

Chairperson LaTouche opened the public hearing.

Taylor Kanute, applicant, was present to answer any questions.

No one came forward to speak in favor of or in opposition to the planned development request.

Chairperson LaTouche closed the public hearing.

MOTION by Todd McEvoy to deny the request. MOTION FAILED for lack of second.

MOTION by Brian Leslie, second by Justin Allen, to approve Case No. PD2021-001 with the condition that the replat to be completed within 30 days and forward a positive recommendation to Council. MOTION CARRIED with Todd McEvoy casting the dissenting vote.

12. Permitted Use Work Session

1. MOTION by Todd McEvoy, second by Bruce Delater to allow Tattoo Parlor/Body Piercing Studios as a permitted use in B-2 and B-3 districts, removing from Industrial. MOTION CARRIED by unanimous vote.

- MOTION by Todd McEvoy, second by Bruce Delater to allow Tattoo Parlor/Body Piercing Studios as a permitted use in the DT district. MOTION CARRIED with the following votes:

Ayes: Brian Lesley, Lisa LaTouche, Bruce Delater

Noes: Cliff McCrury, Justin Allison

- Commission recommends leaving Personal Service Shop (beauty, barber and the like) as currently listed in B- 1, B-2, B-3 and DT zoning districts.
- MOTION by Todd McEvoy, second by Brian Leslie to combine Bed and Breakfast and Bed and Breakfast/Boarding House as one permitted use as Bed and Breakfast/Boarding House in zoning districts B-1, B-3 and DT. MOTION CARRIED by unanimous vote.
- MOTION by Brian Leslie, second by Todd McEvoy to allow Bicycle Sales and Rentals as a permitted use in zoning districts B-2, B-3 and DT.

MOTION by Bruce Delater, second by Justin Allen to amend the original MOTION to allow Bicycle Sales and Rentals as a permitted use in zoning district B-1 as well. MOTION WAS NOT CARRIED with the following votes:

Ayes: Justin Allen, Bruce Delater

Noes: Todd McEvoy, Cliff McCrury, Brian Leslie

ORIGINAL MOTION CARRIED by unanimous vote.

- MOTION by Bruce Delater, second by Justin Allen to combine all Bakery and Confectionary Shops with related permitted use, with exception to wholesale and distribution, into Bakery Retail for zoning districts B-1, B-2, B-3 and DT. MOTION CARRIED with Todd McEvoy casting the dissenting vote.
- Commission recommends leaving Bakery Wholesale/Distribution as currently listed in the Industrial zoning district.

ADJOURN

The meeting was adjourned at 7:38 p.m.

APPROVED:

Lisa LaTouche, Chair

ATTEST:

Tina Cox, Commission Secretary