



PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 West Washington Street
Wednesday, October 21, 2020 at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, October 21, 2020, at 5:30 PM, via teleconference or videoconference as allowed by Governor's Order due to the COVID-19 pandemic, 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 Chairperson
Metta Collier
Justin Allison
Todd McEvoy
Bruce Delater (Alternate)

COMMISSIONERS ABSENT:

Cliff McCrury
Vance Wade

OTHERS ATTENDING:

Steve Killen, Director of Development Services
Karen Wilkerson, Commission Secretary

CALL TO ORDER

Chairperson Lisa LaTouche called the meeting to order.

CONSIDER APPROVAL OF MINUTES

1. Consider Approval of Minutes for September 16, 2020.

MOTION by Metta Collier, second by Brian Lesley, to approve the minutes for September 16, 2020.
MOTION CARRIED by unanimous vote.

2. Consider Approval of Minutes for October 5, 2020.

MOTION by Brian Lesley, second by Metta Collier to approve the minutes for October 5, 2020. MOTION CARRIED by unanimous vote.

PUBLIC HEARINGS

3. PUBLIC HEARING: Case No.: RZ2020-010

Applicant John Drennan is requesting a rezone of property located at 830 Alexander Rd., Lot 22, Block 35, and 0 Alexander Rd., Lot 38, Block 35, of the South Side Addition, to the City of

Stephenville, Erath County, Texas, from (R-1) Single Family and (R-3) Multiple Family to (B-2) Retail and Commercial Business.

Steve Killen, Director of Development Services, briefed the Commission on the case. He stated that the case is unique because a minor plat has been submitted, which can be approved administratively, in order to accommodate the applicant's intended project. City ordinance, however, requires the rezone be approved prior to the replat. Staff recommends approving the rezone with conditions that the replat be approved and recorded prior to the finalization of the change in zoning. If the zoning is approved without the described condition, the lots would end up with split zoning, which the city does not allow.

John Drennan, applicant, explained to the Commission that the desire was to develop the corner area and blend the commercial and residential areas with the construction of multiple-family housing next to the existing multiple-family structure.

Chairperson LaTouche opened the public hearing.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Metta Collier, to approve Case No. RZ2020-010 and forward a positive recommendation to Council with the condition that the replat be approved and recorded prior to finalizing the rezone. MOTION CARRIED by unanimous vote.

4. PUBLIC HEARING: Case No.: RZ2020-011

Applicant Marc Pace is requesting a rezone of property located at 422 S Lillian, Lot 5, 6, 7, and 8, Block 8, of the South Side Addition, to the City of Stephenville, Erath County, Texas, from (I) Industrial to (PD) Planned Development.

Steve Killen, Director of Development Services, briefed the Commission on the case. He stated that the request was originally submitted as a rezone from Industrial District (I) to Planned Development District (PD). After consulting with staff, Marc Pace, applicant, requested the property be rezoned to Multiple-Family District (R-3). Staff felt this was in line with the requirements of R-3 zoning, and would allow a quicker, cleaner process for the applicant. Staff respectfully recommends approval of the rezone.

Chairperson LaTouche opened the public hearing.

James Bachus wrote a letter to the Commission asking them to address the possibility of traffic exiting the property in question and "cutting through" his property. Mr. Killen stated that he would ensure Mr. Bachus' concerns were addressed.

No others came forward to speak in favor of or opposition to the rezone.

Chairperson LaTouche closed the public hearing.

MOTION by Todd McEvoy, second by Brian Lesley, to approve Case No. RZ2020-011 and forward a positive recommendation to Council to rezone the property from Industrial (I) to Multiple-Family District (R-3). MOTION CARRIED with Bruce Delater casting a dissenting vote.

5. PUBLIC HEARING: Case No.: SV2020-009

Applicant Bert Thompson with Mike's Westside Rental, is requesting a Subdivision Waiver from Section 155.6.11 – Sidewalk Requirement to be constructed at 3130 W Washington, being Lot 2, Block 1, of the Excels Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the commission on the case. Staff recommends denial of the waiver as it is a requirement set forth by city ordinance. Mr. Killen stated that there were properties in the area that had not been required to comply with the ordinance.

Bert Thompson, applicant, explained that the variance was requested as the closest sidewalk to his development is approximately 1.5 miles from his property, located in front of St. Gobain on Washington Street, nor are there any sidewalks in the area on the north side of US 377. He also cited issues with drainage, incline, highway traffic, and utilities in the right-of-way. Mr. Thompson stated that he is not opposed to sidewalks, but he believes this is not an ideal location for sidewalks and pedestrian traffic.

Commissioner McEvoy asked for clarification on whether the waiver was for Washington Street/US 377 or for Peach Orchard Road. Mr. Killen explained that the request was only for Washington Street/US 377 and that if the plans of the development changed, a separate waiver request would be required for Peach Orchard Road.

Chairperson LaTouche opened the public hearing.

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

Chairperson LaTouche closed the public hearing.

MOTION by Metta Collier, second by Brian Lesley, to approve Case No. SV2020-009 and forward a positive recommendation to Council. MOTION CARRIED by unanimous vote.

6. PUBLIC HEARING: Case No.: SV2020-010

Applicant Michael Brown is requesting a Subdivision Waiver from Section 155.6.11 – Sidewalk Requirements to be constructed at 1961 N Dale, being Lot 2, Block 1, of the Green Acres Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the commission on the case. He stated the next six cases were related and would be discussed as a group, but voted on separately. Staff recommends denial of the waiver as it is a requirement set forth by city ordinance.

Chairperson LaTouche opened the public hearing.

Vince Daddio, applicant's developer, stated that there is no curb, gutter, or sidewalks in the area. He also stated that there is a drainage ditch between the street and the homes on Dale Street and most of those homes utilize metal culverts under their driveways.

Michael Brown, owner, and Barry Littleton, 1960 N. Dale, spoke in favor of the waiver.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Brian Lesley, to deny Case No. SV2020-010 and forward a negative recommendation to Council. MOTION CARRIED with Justin Allison casting the dissenting vote.

7. PUBLIC HEARING: Case No.: SV2020-011

Applicant Michael Brown is requesting a Subdivision Waiver from Section 155.6.06.M(1) – Curb and Gutter Requirements to be constructed at 1961 N Dale, being Lot 2, Block 1, of the Green Acres Addition to the City of Stephenville, Erath County, Texas.

Cases SV2020-010 through SV2020-015 were discussed as a group as they are contiguous properties owned by the same person.

Chairperson LaTouche opened the public hearing.

No one spoke in favor of or opposition to the waiver.

Chairperson LaTouche closed the public hearing.

MOTION by Todd McEvoy, second by Bruce Delater, to approve Case No. SV2020-011 and forward a positive recommendation to Council. MOTION CARRIED by unanimous vote.

8. PUBLIC HEARING: Case No.: SV2020-012

Applicant Michael Brown is requesting a Subdivision Waiver from Section 155.6.11 – Sidewalk Requirements to be constructed at 1949 N Dale, being Lot 3, Block 1, of the Green Acres Addition to the City of Stephenville, Erath County, Texas

Cases SV2020-010 through SV2020-015 were discussed as a group as they are contiguous properties owned by the same person.

Chairperson LaTouche opened the public hearing.

No one spoke in favor of or opposition to the waiver.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Brian Lesley, to deny Case No. SV2020-012 and forward a negative recommendation to Council. MOTION CARRIED with Justin Allison casting the dissenting vote.

9. PUBLIC HEARING: Case No.: SV2020-013

Applicant Michael Brown is requesting a Subdivision Waiver from Section 155.6.06.M(1) – Curb and Gutter Requirement to be constructed at 1949 N Dale, being Lot 3, Block 1, of the Green Acres Addition to the City of Stephenville, Erath County, Texas.

Cases SV2020-010 through SV2020-015 were discussed as a group as they are contiguous properties owned by the same person.

Chairperson LaTouche opened the public hearing.

Barry Littleton, 1960 N. Dale, spoke in favor of the waiver.
No others spoke in favor of or opposition to the waiver.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Todd McEvoy, to approve Case No. SV2020-013 and forward a positive recommendation to Council. MOTION CARRIED by unanimous vote.

10. PUBLIC HEARING: Case No.: SV2020-014

Applicant Michael Brown is requesting a Subdivision Waiver from Section 155.6.11 – *Sidewalk Requirement* to be constructed at 1937 N Dale, being Lot 4, Block 1, of the Green Acres Addition to the City of Stephenville, Erath County, Texas

Cases SV2020-010 through SV2020-015 were discussed as a group as they are contiguous properties owned by the same person.

Chairperson LaTouche opened the public hearing.

Barry Littleton, 1960 N. Dale, spoke in favor of the waiver.
No others spoke in favor of or opposition to the waiver.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Bruce Delater, to deny Case No. SV2020-014 and forward a negative recommendation to Council. MOTION CARRIED with Justin Allison casting the dissenting vote.

11. PUBLIC HEARING: Case No.: SV2020-015

Applicant Michael Brown is requesting a Subdivision Waiver from Section 155.6.06.M(1) – *Curb and Gutter Requirements* to be constructed at 1937 N Dale, being Lot 4, Block 1, of the Green Acres Addition to the City of Stephenville, Erath County, Texas.

Cases SV2020-010 through SV2020-015 were discussed as a group as they are contiguous properties owned by the same person.

Chairperson LaTouche opened the public hearing.

Barry Littleton, 1960 N. Dale, spoke in favor of the waiver.
No others spoke in favor of or opposition to the waiver.

Chairperson LaTouche closed the public hearing.

MOTION by Metta Collier, second by Brian Lesley, to approve Case No. SV2020-015 and forward a positive recommendation to Council. MOTION CARRIED by unanimous vote.

ADJOURN

The meeting was adjourned at 6:47 p.m.

Lisa LaTouche, Chairperson