



PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers, 298 W. Washington, Stephenville, Texas 76401
Wednesday, March 10, 2021 at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on Wednesday, March 10, 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
Brian Lesley

COMMISSIONERS ABSENT: Cliff McCrury
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.

REGULAR AGENDA

- 1. Election of Chairperson and Vice Chairperson**
MOTION by Bruce Delater, second by Brian Lesley, to elect Lisa LaTouche as the chairperson. MOTION CARRIED by unanimous vote.

MOTION by Justin Allison, second by Bruce Delater, to elect Brian Lesley as the vice chairperson. MOTION CARRIED by unanimous vote.
- 2. Staff Update on Council Action Revising Waiver Decisions, Effective March 1, 2021**
Steve Killen, Director of Development Services, updated the Commission on

CONSIDER APPROVAL OF MINUTES

- 3. December 16, 2020**
Minutes for the December 16, 2020 meeting will be presented for approval at the next meeting.

PUBLIC HEARING

- 5. Public Hearing - Case No.: RZ2021-001**

Applicant Keewaydin Development, Taylor Kanute, is requesting a rezone of properties located at 751 Miller, Parcel R32531, Lot 8, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (B-3) Central Business.

Steve Killen, Director of Development Services briefed the Commission on the request. The comprehensive plan for future land use designates this property to be single family. This parcel does not meet the minimum width requirement of 75 feet for R-1 zoning. B-3 requires minimum width requirement of 60 feet. He stated that the intended project for the requested zoning is for the construction of a single-family dwelling. A single-family dwelling is considered a permitted use under the B-3 (Central Business District) zoning classification. The applicant does not currently own the property, but has received authorization from the current owner to make the request.

Chairperson LaTouche opened the public hearing.

Taylor Kanute, applicant, was in attendance to answer questions.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Justin Allison, to approve Case No. RZ2021-001. MOTION CARRIED by unanimous vote.

6. Public Hearing - Case No.: RZ2021-002

Applicant Keewaydin Development, Taylor Kanute, is requesting a rezone of properties located at 751 Miller, Parcel R32529, Lot 8, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (B-3) Central Business.

Steve Killen, Director of Development Services briefed the Commission on the request. He stated that this case is almost identical to Case No. RZ2021-001, with the exception that in this case, the lot is smaller and will require a variance request from the Board of Adjustment as well.

Chairperson LaTouche opened the public hearing.

Taylor Kanute, applicant, was in attendance to answer questions.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Brian Lesley, to approve Case No. RZ2021-002. MOTION CARRIED by unanimous vote.

7. Public Hearing - Case No.: RZ2021-003

Applicant Jeff Brady is requesting a rezone of properties located at 1290 Hyman, Parcel R33798, Lot 4, 4A and 4C, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single Family to (R-3) Multi-Family.

Steve Killen, Director of Development Services, briefed the Commission on the case. The comprehensive plan for future land use designates this property to be single family. The intended project for the requested zoning is for the future construction of a multifamily dwelling. The applicant states that the property is surrounded on three sides by multifamily zoning. This case is related to Case No. RZ2021-004.

Chairperson LaTouche opened the public hearing.

Jeff and Stephanie Brady, applicants, were in attendance to answer questions.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Justin Allision, to approve Case No. RZ2021-003. MOTION CARRIED by unanimous vote.

8. Public Hearing - Case No.: RZ2021-004

Applicant Jeff Brady is requesting a rezone of properties located at 1270 Hyman, Parcel R33799, Lot 5, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single Family to (R-3) Multi-Family.

Steve Killen, Director of Development Services, briefed the Commission on the case. The comprehensive plan for future land use designates this property to be single family. The intended project for the requested zoning is for the future construction of a multifamily dwelling. The applicant states that the property is surrounded on three sides by multifamily zoning.

Chairperson LaTouche opened the public hearing.

Jeff and Stephanie Brady, applicants, were in attendance to answer questions.

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

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Bruce Delater, to approve Case No. RZ2021-004. MOTION CARRIED by unanimous vote.

9. Public Hearing - Case No.: RZ2021-005

Applicant Beau Mayo is requesting a rezone of properties located at 820 Alexander, Parcel R33804, Lot 7B, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single Family to (R-3) Multi-Family.

Steve Killen, Director of Development Services, briefed the Commission on the case. Mr. Killen explained that the Comprehensive Plan for future land use designates this property to be single family. The intended project for the requested zoning is for the future construction of a townhome dwelling. He also stated that recently the Commission approved a rezone for properties to the south of this parcel to allow for B-2 and R-3 zoning.

Chairperson LaTouche opened the public hearing.

Beau Mayo, applicant, was in attendance to answer questions.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Justin Allision, to approve Case No. RZ2021-005. MOTION CARRIED by unanimous vote.

10. Case No.: SC2021-001

Abandonment of the 800 Blk. of N. Lillian Avenue

Steve Killen, Director of Development Services, briefed the Commission on the case. Mr. Killen explained that a request was received from Tarleton State University to purchase the 800 block of North Lillian Avenue. This is the last remaining block of Lillian that is not owned by Tarleton State University between Washington and Frey Streets. Staff has no objection to the abandonment and sale of this street.

Chairperson LaTouche opened the public hearing.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Brian Lesley, to approve Case No. SC2021-001. MOTION CARRIED by unanimous vote.

11. Case No.: SC2021-002

Abandonment of the Undeveloped Portion of Shirley Street

Steve Killen, Director of Development Services, briefed the Commission on the case. Mr. Killen explained that a request was received from a property owner to purchase an undeveloped portion of Shirley Street located between Paddock Street and the Fort Worth and Western Railroad. Staff has no objection to the abandonment and sale of this street.

Chairperson LaTouche opened the public hearing.

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

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Bruce Delater, to approve Case No. SC2021-002. MOTION CARRIED by unanimous vote.

12. Public Hearing - Case No.: SV2021-001

Applicant Mike's Westside Rental, is requesting a subdivision waiver from Section 155.6.11 – Sidewalk along County Road 257 (Peach Orchard), located at Parcel R23789, Lot 2, Block 1, Excels Addition, to the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the Commission on the case. The applicant was recently approved for a sidewalk waiver for the portion of the property facing Washington/Hwy 377. The property also has frontage on Peach Orchard. This portion of the property will also be subject to the Subdivision Ordinance and consequently, sidewalk, curb, and gutter improvements are required along this frontage. Staff recommends denial of the request based on the requirements set forth by the Subdivision Ordinance and failure to establish hardship in order to meet the criteria required for waiver approval.

Chairperson LaTouche opened the public hearing.

Bert Thompson, applicant addressed the Commission. He stated that the only entrance on Peach Orchard Road would be for deliveries only; the remaining portion of the property would remain undeveloped. The entrance on Peach Orchard Road would allow greater safety for trucks entering and exiting the property as they would be able to utilize the crossover on US 377.

Rita Freels, 681 CR 257, spoke in opposition to the request due to concerns about increased traffic on Peach Orchard Road.

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

Chairperson LaTouche closed the public hearing.

MOTION by Brian Lesley, second by Bruce Delater, to deny Case No. SV2021-001. MOTION CARRIED, with Justin Allison casting a dissenting vote.

13. Public Hearing - Case No.: SV2021-002

Applicant Mike's Westside Rental, is requesting a subdivision waiver from Section 155.6.04.M (1) – Curb and Gutter along County Road 257 (Peach Orchard), located at Parcel R23789, Lot 2, Block 1, Excels Addition, to the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the Commission on the case. The applicant was recently approved for a sidewalk waiver for the portion of the property facing Washington/Hwy 377. The property also has frontage on Peach Orchard. This portion of the property will also be subject to the Subdivision Ordinance and consequently, sidewalk, curb, and gutter improvements are required along this frontage. Staff recommends denial of the request based on the requirements set forth by the Subdivision Ordinance and failure to establish hardship in order to meet the criteria required for waiver approval. This case is related to Case No. SV2021-001.

Chairperson LaTouche opened the public hearing.

Bert Thompson was in attendance on behalf of Mike's Westside Rental. He had no additional comments.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater to deny the request with the condition that the denial go into effect when the city rebuilds and/or expands the street and that the applicant not be required to adhere to the requirement until that time. MOTION FAILED for lack of a second.

Chairperson LaTouche recessed the meeting to allow Mr. Killen to contact the city attorney regarding the ability to approve or deny the waiver with conditions. Staff was unable to make contact.

MOTION by Brian Lesley, second by Lisa LaTouche, to deny Case No. SV2021-002. MOTION FAILED by the following votes:

Ayes: Brian Lesley, Lisa LaTouche

Noes: Bruce Delater, Justin Allison

MOTION by Brian Lesley, second by Bruce Delater, to approve Case No. SV2021-002. MOTION CARRIED, with Lisa LaTouche casting a dissenting vote.

14. Public Hearing - Case No.: SV2021-003

Applicant Mike's Westside Rental, is requesting a subdivision waiver from Section 155.6.04.M (1) – Curb and Gutter along Highway 377, located at Parcel R23789, Lot 2, Block 1, Excels Addition, to the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the Commission on the case. The applicant was recently approved for a sidewalk waiver for the portion of the property facing Washington/Hwy 377. This request is to address the curb and gutter requirement along that same frontage. Staff recommends denial of the request based on the requirements set forth by the Subdivision Ordinance and failure to establish hardship in order to meet the criteria required for waiver approval. This case is related to Case No. SV2021-001.

Chairperson LaTouche opened the public hearing.

Bert Thompson was in attendance on behalf of Mike's Westside Rental. He had no additional comments.

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

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Justin Allison, to approve Case No. SV2021-003. MOTION CARRIED, with Lisa LaTouche casting a dissenting vote.

ADJOURN

The meeting was adjourned at 7:28 p.m.

Lisa LaTouche, Chair

ATTEST:

Tina Cox, Commission Secretary