



PLANNING AND ZONING COMMISSION

City Hall Council Chambers, 298 W. Washington
Wednesday, June 16, 2021 at 5:30 PM

MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on June 16, 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
Nick Robinson
Brian Lesley
Todd McEvoy
Mary Beach McGuire – Alternate

COMMISSIONERS ABSENT: Cliff McCrury

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.

OATH OF OFFICE

1. Administer Oath of Office to Planning and Zoning Commission Members

Staci King, City Secretary, administered the Oath of Office to Nick Robinson and Mary Beach McGuire.

MINUTES

2. Consider Approval of Minutes – May 19, 2021

MOTION by Bruce Delater, second by Nick Robinson, to approve the minutes for May 19, 2021.

MOTION CARRIED by unanimous vote.

PUBLIC HEARINGS

3. 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.

Bruce Delater abstained from the case.

Steve Killen, Director of Development Services, briefed the commission on the case that was carried over from the May 19, 2021 meeting. 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 six letters of opposition to the case.

Dell Burdick was present in order to answer any questions.

Chairperson LaTouche opened the public hearing.

No one spoke in favor of the rezone request.

Wayne Tribble, 1010 W. Frey, spoke against the rezone request.

Dan and Hannah Dowell, 1092 W. Frey, spoke against the rezone request.

Kelly Sult, 882 N. Clinton, spoke against the rezone request.

Josh Ritchey, 990 N. Ollie, spoke against the rezone request.

Jeremy Harlow, 1084 W. Frey, spoke against the rezone request.

Gina and Rick Woodson, 875 N. Clinton, spoke against the rezone request.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Leslie, second by Mary Beach McGuire, to deny Case No. RZ2021-009 and forward a negative recommendation to Council. MOTION CARRIED with Nick Robinson casting the dissenting vote.

4. 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.

Bruce Delater abstained from the case.

Steve Killen, Director of Development Services, briefed the commission on the case that was carried over from the May 19, 2021 meeting. 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 five letters of opposition to the case.

Dell Burdick was present in order to answer any questions.

Chairperson LaTouche opened the public hearing.

No one spoke in favor of, however all parties who spoke against Case No. RZ2021-008, were opposed to Case No. RZ2021-009 as well.

Chairperson LaTouche closed the public hearing.

MOTION by Brian Leslie, second by Mary Beach McGuire, to deny Case No. RZ2021-009 and forward a negative recommendation to Council. MOTION CARRIED with Nick Robinson casting the dissenting vote.

5. Case No.: RZ2021-011

Applicant Erath County Habitat for Humanity, is requesting a rezone of property located at 750 Sloan, Parcel R32729, of PARK PLACE ADDITION, BLOCK 4, LOT 4, of the City of Stephenville, Erath County, Texas from (R-3) Multi-Family to (B-2) Retail and Commercial Business.

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that Ms. Staci Morrison, representing Erath County Habitat for Humanity, is requesting a rezone to B-2, Retail and Commercial Business, to allow for the construction of administrative offices and connecting storage space for the Habitat of Humanity. Assuming the rezone is approved, the applicant will submit a re-plat to combine this parcel with 754 Sloan. Staff recommends approval of the rezone request as it is a requirement set forth by city ordinance.

Staci Morrison was present to answer any questions.

Chairperson LaTouche opened the public hearing.

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

Chairperson LaTouche closed the public hearing.

MOTION by Todd McEvoy, second by Bruce Delater, to approve Case No. RZ2021-011 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

6. Case No.: CP2021-001

Applicant Justin Willis is requesting a Conditional Use Permit, pursuant to Section 154.05.03.C(1), for a Home Occupation as defined in Section 154.03, for property located at 1422 Prairie Wind, Parcel R31592, of GOLF COUNTY ESTATES ADDITION, BLOCK 4, LOT 5, of the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the applicant was recently contacted by the Alcohol, Tobacco and Firearms (ATF) Division of the Federal Government. Agent Dee Robinson requested assistance from the City of Stephenville and upon an on-site inspection at the consent of the applicant, Agent Robinson suspended Mr. Willis' license for the following: 1. Per Agent Robinson, 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 ordinances and regulations. The Zoning Code, Section 154.03, defines home occupation and lists criteria for compliance. The generation of traffic to the neighborhood and inventory for sale are the criteria that have resulted in the application for a Conditional Use in order to be compliant with ATF regulations. Mr. Killen shared with the Commissioners that there was one letter received by Scott Fields in favor of the Conditional Use Permit.

Chairperson LaTouche opened the public hearing.

Justin Willis, applicant, was not present.

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 Bruce Delater, second by Nick Robinson, to approve Case No. CP2021-001 and forward a positive recommendation to Council. MOTION CARRIED with Lisa LaTouche casting the dissenting vote.

STAFF UPDATE – MOBILE HOME ZONING

7. Update on Mobile Home Zoning

Steve Killen, Director of Development Services, gave a staff update on Mobile Home Zoning. In the agenda packet, Mr. Killen provided the Commissioners the City of Stephenville Zoning Code, Section 154.03 which defines a Manufactured housing or home, Mobile home, Mobile Home Park, Nonconformance and Nonconforming Use. He also stated that there are no manufactured Housing Districts under the current zoning, however, the future land use does dictate such a district.

After discussion amongst the Commissioners, it was agreed that the Mobile Home Park comprehensive plan will be tabled until a City Planner has been procured.

ADJOURN

The meeting was adjourned at 6:40 p.m.

APPROVED:

Lisa LaTouche, Chair

ATTEST:

Tina Cox, Commission Secretary