

**NOTICE OF MEETING
THE CITY COMMISSION OF BROCK, TEXAS**

MAYOR JAY HAMILTON
COMMISSIONER BEN DAVIS
COMMISSIONER DEBBIE SCRIMSHIRE

ATTORNEY WHITT L. WYATT
TOWN CLERK ALYSSA VANESLER

MEETING DATE AND TIME:
Monday, August 7, 2023, 6:30 PM

MEETING LOCATION:
Brock Community Center
2115 FM 1189 Brock TX 76087

REGULAR AGENDA
Begins at 6:30pm

Unless specifically noted otherwise, action may be taken on any item listed below

- 1. CALL TO ORDER AND ANNOUNCE QUORUM**
- 2. INVOCATION AND PLEDGE**
- 3. REGULAR AGENDA: Discussion and Possible action on the following**

3.1 PUBLIC HEARING on an Ordinance of the Town of Brock, Texas granting a conditional use permit to allow a veterinary clinic with indoor kennels and large animal clinic services on approximately 3.34 acres of land described as Lot 1 of The Brock Place Addition, located at 1433 FM 1189 in Brock, Texas.

4. REPORTS:

- 5. CITIZEN COMMENTS:** The public may address the Commission regarding any item. Persons desiring to address the Commission must register on the sign-in sheet prior to the start of the meeting. Comments are limited to three (3) minutes.

Limited reply by the Commission is allowed under The Texas Open Meetings Act as follows: (a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to: (1) A statement of specific factual information given in response; or (2) A recitation of existing policy in response; (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting

6. **EXECUTIVE SESSION:** The Commission reserves the right to adjourn into executive session at any time during the meeting to discuss any of the matters listed on the agenda, as authorized by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY.

Discuss and consider action following executive session.

7. **ADJOURN**

CERTIFICATION

I hereby certify that the above notice of meeting was posted on or before Friday, August 4, 2023, prior to 6:30 p.m. at the Brock Community Center, 2115 FM 1189 Brock Texas 76087 and at Brock Town Hall, 2451 FM 1189, Brock, Texas 76087.

Alyssa Vanesler

Alyssa Vanesler
Town Clerk

ACCESSIBILITY STATEMENT

In compliance with the Americans with Disabilities Act, reasonable accommodations for persons attending meetings will be provided. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Alyssa Vanesler at townclerk@brocktx.net or via phone 817-396-5333.

TOWN OF BROCK
COMMISSION AGENDA BRIEFING
August 7, 2023

Agenda Item 3.1

Title

An Ordinance granting a conditional use permit (CUP) to allow a veterinary clinic with indoor kennels and large animal clinic services on approximately 3.34 acres of land described as Lot 1 of The Brock Place Addition, located at 1433 FM 1189 in Brock, Texas

Item Summary

This item is a public hearing on a request from the owner of the property for approval of a conditional use permit (CUP) in conformance with the Town's zoning ordinance that would allow for the clinic to have indoor kennels, outdoor kennels and large animal clinic services at the property. The property is currently zoned Local Retail (LR).

There is also an existing residence on the property that will continue to be used for residential purposes and the applicant intends to construct a proposed four unit retail building on the property. These proposed uses are allowed within the current LR zoning district and do not require a CUP.

Upon conclusion of the public hearing and consideration of this item the Town Commission may vote to approve, approve with conditions, or deny the request.

Attachments

1. Letter Application dated July 3, 2023
2. Proposed Site Plan
3. Ordinance O-2023-___ Approving the CUP

July 3, 2023

Town Council
Town of Brock
2451 FM 1189, Ste. B
Brock, TX 76087

Re: Conditional Use Zoning Application for Lot 1, The Brock Place Addition,
Town of Brock, TX

Dear Councilmembers,

This letter serves as the Conditional Use Permit Zoning Application for Lot 1, The Brock Place Addition, located at 1433 FM 1189 in the Town of Brock in accordance with Zoning Ordinance No. 2018-06. The site is currently zoned LR-Local Retail which allows the proposed uses; however, a conditional use permit is required. The 3.34-acre site will include a veterinary clinic with indoor kennels and large animal clinic services, which requires a conditional use permit, as well as retail space and an existing home to be converted to office space, which do not require a conditional use permit. The proposed uses as well as the proposed site layout are shown on the accompanying Site Plan.

This Conditional Use Permit Application is being submitted at the request of the owner, Dr. Ryan Cate with Cate Investments, LLC. The Town and Town Attorney were unable to be reached to obtain a form for this Conditional Use Permit Application, and any additional required information can be obtained by contacting me at 817-596-7575 or scrawford@bhbin.com. I respectfully request consideration and approval of this application at the Council meeting to be held on July 17, 2023.

Sincerely,

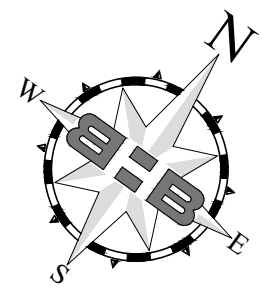
Baird, Hampton & Brown



Scott Crawford, PE
Associate, Senior Civil Engineer

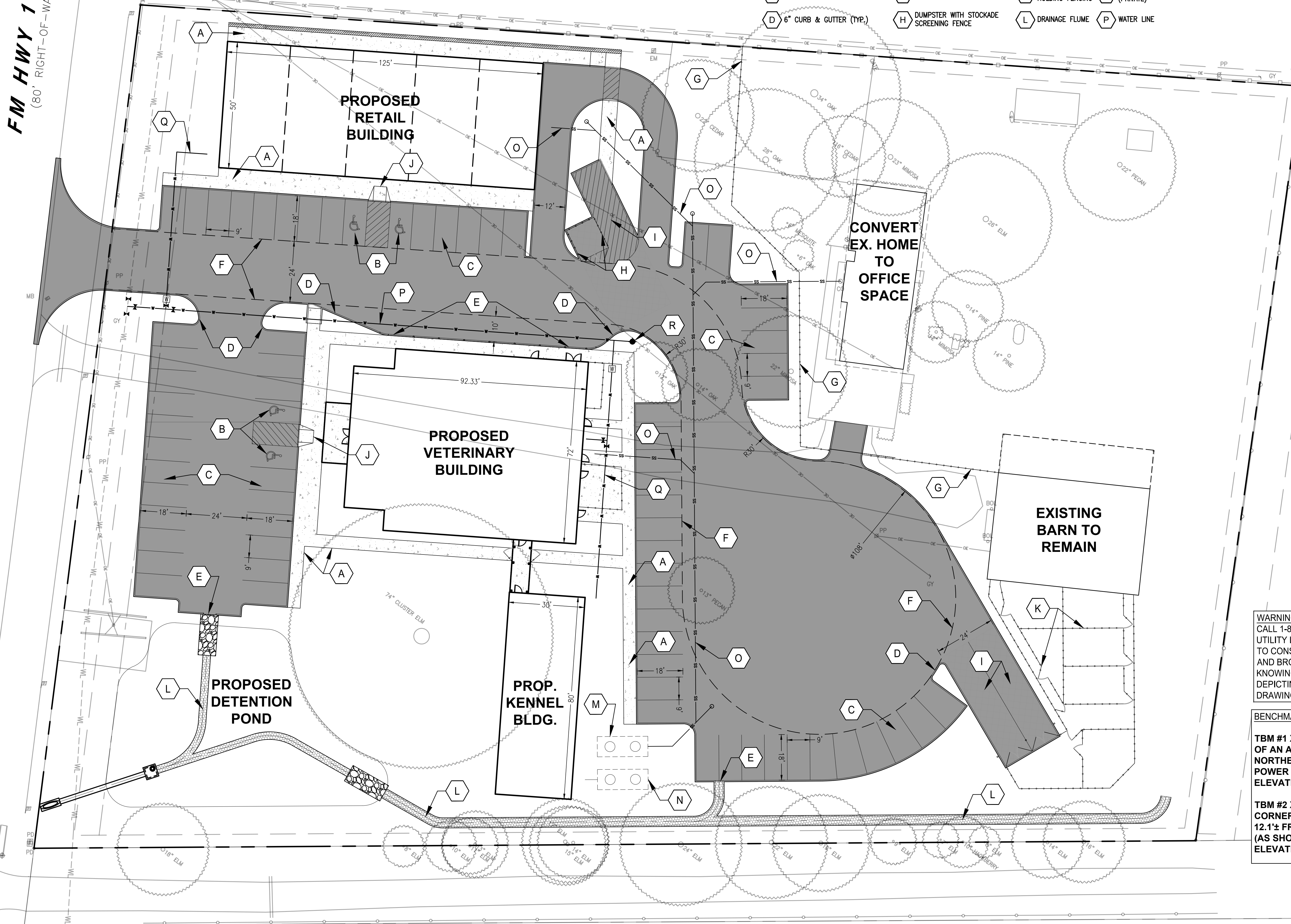
FM HWY 1189
(80' RIGHT-OF-WAY)

0 20 40 60
GRAPHIC SCALE: 1" = 20'-0" (22"x34")
1" = 40'-0" (11"x17")



PLAN KEY NOTES:

- A PROPOSED SIDEWALK (TYP)
- B PAINTED ADA SYMBOL WITH CORRESPONDING ADA SIGNAGE
- C 9'X18' PARKING STALL (TYP.)
- D 6" CURB & GUTTER (TYP.)
- E NO CURB
- F FIRE LANE
- G SCREENING FENCE
- H DUMPSTER WITH STOCKADE SCREENING FENCE
- I LOADING ZONE
- J ADA RAMP
- K LARGE ANIMAL HOLDING FENCING
- L DRAINAGE FLUME
- M AEROBIC SEPTIC SYSTEM (BY OTHERS)
- N KENNEL WASTE TANK (BY OTHERS)
- O SANITARY SEWER LINE (PRIVATE)
- P WATER LINE
- Q WATER SERVICE
- R FIRE HYDRANT



LEGEND

- CONCRETE SIDEWALK (SEE PAVING PLAN)
- CONCRETE PAVEMENT (SEE PAVING PLAN)
- HEAVY DUTY CONCRETE PAVEMENT (SEE PAVING PLAN)

GENERAL UTILITY NOTE

ALL UTILITIES MAY NOT BE SHOWN ON THE PLANS. LOCATION OF EXISTING UTILITIES DEPICTED ON THE PLANS ARE APPROXIMATE. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION. UTILITIES DAMAGED BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE.

WARNING TO CONTRACTOR
CALL 1-800-344-8377 (TEXAS 811) OR OTHER UTILITY LOCATION SERVICES 48 HOURS PRIOR TO CONSTRUCTION ACTIVITY. BAIRD HAMPTON AND BROWN, INC. IS NOT RESPONSIBLE FOR KNOWING ALL EXISTING UTILITIES OR DEPICTING EXACT LOCATIONS ON ALL DRAWINGS.

BENCHMARKS:

- TBM #1 X-CUT SET IN THE SOUTH CORNER OF AN ASPHALT PARKING LOT, BEING EAST NORTHEAST 41.4'± FROM AN ELECTRIC POWER POLE. (AS SHOWN HEREON). ELEVATION = 859.34'**
- TBM #2 X-CUT SET ON THE SOUTHEAST CORNER OF A 24" CMP, BEING SOUTHWEST 12.1'± FROM A SET OF PHONE PEDESTALS. (AS SHOWN HEREON). ELEVATION = 852.08'**

TOWN OF BROCK
RIVERSTONE VETERINARY CLINIC

SITE PLAN

NO.	DESCRIPTION	DATE

NOT FOR CONSTRUCTION
THIS DOCUMENT IS INTENDED FOR REVIEW ONLY, AND IS NOT INTENDED FOR BIDDING, PERMIT, OR CONSTRUCTION PURPOSES.
BHB, INC.
TX REGISTERED FIRM F-00044
ENGINEER: T. SCOTT CRAWFORD
TEXAS LICENSE NO. 100155
DATE: JUNE 23, 2023

PROJECT NUMBER: 2022.810.043
DATE: 06/23/2023 DRAWN BY: JM
DESIGN BY: TSC CHECKED BY: TSC

SHEET
C4.0

EAGLE MEADOW DRIVE
(VARIABLE WIDTH PRIVATE STREET, DRAINAGE & UTILITY ESMT.)

6.23.2023 4:44PM F:\job\2022\810\043 Site Veterinary Clinic\01 Design & Drafting\02 Civil\2022.810.043_SITE PLAN.dwg SITE PLAN

BHB
BAIRD, HAMPTON & BROWN
engineering and surveying

949 Hilltop Drive, Weatherford, TX 76086
mail@bhbinc.com • 817.596.7575 • bhbinc.com
TBPELS Firm #44, #10194146

ORDINANCE NO. O-2023-__

AN ORDINANCE OF THE TOWN OF BROCK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A CONDITIONAL USE PERMIT (CUP) FOR A VETERINARY CLINIC WITH INDOOR KENNELS AND LARGE ANIMAL CLINIC SERVICES ON 3.34± ACRES LOCATED AT LOT 1, THE BROCK PLACE ADDITION, AT 1433 FM 1189; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on August 7, 2023, the Town Commission held a public hearing to consider a request for a Conditional Use Permit for a veterinary clinic with indoor kennels, outdoor kennels and large animal clinic services on 3.34± acres located at Lot 1, The Brock Place Addition, addressed as 1433 FM 1189, Brock, Texas (the “Subject Property”), through the approval of the use and current site plan (defined herein below); and

WHEREAS, the Subject Property is presently zoned Local Retail (LR) intended for the conduct of business activity which is located at the edge of residential areas, but which serves a larger trade area than the immediately surrounding residential neighborhoods; and

WHEREAS, this change of zoning is in conformance with the adopted Zoning Ordinance of the Town of Brock, as amended; and

WHEREAS, after due deliberations and consideration of the recommendation of the Town Commission, the information received at a public hearing, and other relevant information and materials, the Town Commission of the Town of Brock, Texas finds that this amendment for conditional use promotes the general welfare and safety of this community and meets additional criteria set forth in Section 10.2.12(E) of the Zoning Ordinance of the Town of Brock, as amended.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BROCK, TEXAS:

SECTION 1. The recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

SECTION 2. A Conditional Use Permit (CUP) authorizing a veterinary clinic with indoor kennels, outdoor kennels and large animal clinic services on the Subject Property, is hereby granted subject to the following conditions:

- (a) Prior to issuance of a Certificate of Occupancy for the veterinary clinic authorized by this CUP, said Property shall be improved in conformance with the approved site plan which is attached hereto as **Exhibit A**, and made a part hereof for all purposes.

SECTION 3. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning

Ordinance of the Town of Brock, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00).

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Comprehensive Zoning Ordinance of the Town of Brock, as amended hereby, be adjudged or held, in whole or in part, to be invalid, voided, or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. All ordinances of the Town in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the Town not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. This ordinance shall become effective from and after its passage and approval and after publication as may be required by law.

PASSED AND APPROVED by the Town Commission of the Town of Brock, Texas, on August 7, 2023.

TOWN OF BROCK, TEXAS

Jay Hamilton, Mayor

ATTEST:

APPROVED AS TO FORM:

Alyssa Vanesler, Town Secretary

Whitt Wyatt, Town Attorney

EXHIBIT A

SITE PLAN

