



**CITY OF WHARTON  
PLANNING COMMISSION MEETING**

**Monday, June 3, 2024  
4:30 PM**

***120 E. CANEY ST., WHARTON, TX 77488***

**NOTICE OF  
CITY OF WHARTON  
PLANNING COMMISSION MEETING**

Notice is hereby given that a Planning Commission Meeting will be held on Monday, June 3, 2024, at 4:30 PM at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, at which time the following subjects will be discussed to-wit:

**SEE ATTACHED AGENDA**

Dated this 30<sup>th</sup> day of May 2024.

By: \_\_\_\_\_

Mike Wootton  
Chairperson

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning Commission Meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall of said City in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on May 30, 2024, at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

The Wharton City Hall is wheelchair accessible. Access to the building and special parking is available at the primary entrance. Persons with disabilities, who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811 Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date. BRAILLE IS NOT AVAILABLE.

Dated this 30<sup>th</sup> day of May 2024.

**CITY OF WHARTON**

By: \_\_\_\_\_

Paula Favors  
City Secretary



**A G E N D A**  
**CITY OF WHARTON**  
**Planning Commission Meeting**  
**Monday, June 03, 2024**  
**City Hall - 4:30 PM**

**Call to Order.**

**Roll Call.**

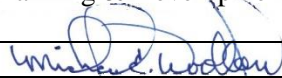
**Review & Consider:**

1. Reading of the minutes from the regular called meeting held May 6, 2024.
2. Request from Mr. David Bowlin on behalf of Chapel Creek Investments, LLC to replat 1113 College St., High School, Lot 6, 7, NW Corner of 8 for multifamily development.
3. Request from Mr. Robert Fleming Jr. on behalf of Keith Gerard Home Solutions to replat 606 Old Boling Rd., Wm. Kincheloe, Block 64-A9 for residential development.

**Adjournment.**

City of Wharton  
 120 E. Caney Street  
 Wharton, TX 77488

# PLANNING COMMISSION

Meeting Date:	6/3/2024	Agenda Item:	Reading of the minutes from the regular called meeting held May 6, 2024.
At this time, the Commission may review and approve the minutes from the regular called meeting held May 6, 2024.			
Director of Planning & Development: Gwyneth Teves		Date: Thursday, May 30, 2024	
Approval: 			
Chairperson: Mike Wootton			



**MINUTES OF  
CITY OF WHARTON  
REGULAR CALLED  
PLANNING COMMISSION MEETING  
CITY HALL  
120 EAST CANEY STREET  
WHARTON, TEXAS 77488**

**Monday, May 6, 2024  
4:30 P.M.**

Mike Wootton, Chairperson declared the meeting of the Planning Commission duly open for the transaction of business at 4:31 p.m.

Commissioners present were: Mike Wootton, Joel Williams, Johnnie Gonzales, and Micheal Quinn.

Commissioners absent were: Marshall Francis and Rob Kolacny.

Staff members present were: Gwyneth Teves, Director of Planning & Development, and Claudia Velasquez, Building Official.

Visitors present were: Mr. Joshua Owens, Executive Director Wharton EDC.

**Call to Order.**

**Roll Call.**

**Review and Consider:**

The first item on the agenda was to review and consider the reading of the minutes from the regular called meeting held April 1, 2024. Joel Williams, Commissioner, moved to approve the minutes as presented. Johnnie Gonzales, Commissioner, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from Executive Director Joshua Owens on behalf of the Wharton Economic Development Corporation to replat 108 W. Elm St., Wharton, Block 3, Lot 2, 2D, 3, 3D. Joel Williams, Commissioner, moved to recommend approval of the replat to the City Council for final decision. Micheal Quinn, Commissioner, seconded the motion. All voted in favor.

**Adjournment.** The meeting was adjourned at 4:34 p.m.

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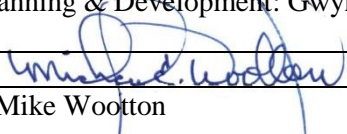
Mike Wootton, Chairperson

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Rob Kolacny, Secretary

City of Wharton  
120 E. Caney Street  
Wharton, TX 77488

## PLANNING COMMISSION

Meeting Date:	6/3/2024	Agenda Item:	Request from Mr. David Bowlin on behalf of Chapel Creek Investments, LLC to replat 1113 College St., High School, Lot 6, 7, NW Corner of 8 for multifamily development.
<p>At this time, the Commission may review and consider a request from Mr. David Bowlin on behalf of Chapel Creek Investments, LLC to replat 1113 College St., High School, Lot 6, 7, NW Corner of 8 for multifamily development.</p> <p>See attached supporting documents.</p>			
Director of Planning & Development: Gwyneth Teves		Date: Thursday, May 30, 2024	
Approval: 			
Chairperson: Mike Wootton			

**CITY OF WHARTON  
PLANNING COMMISSION  
APPLICATION  
FOR  
PLAT OR RE-PLAT**

Item-2.

**NOTE:** If plat or re-plat request is approved by the Planning Commission, the request will then be presented at the next City Council meeting for City Council consideration. Attendance by the applicant requesting the variance is mandatory during the City Council meeting. If applicant fails to attend the meeting, the variance request will not be considered by the City Council at that time.

Chapel Creek Investments, LLC (David Bowlin)

Name (Printed)

1113 College Street

Physical Address

Wharton, TX 77488

Legal Address

05/29/2024

Date

3722 Lost Creek Blvd

Mailing Address

Austin, TX 78735

Phone

**\*ATTACH A PRELIMINARY/FINAL DRAWING OF THE RE-PLAT.**

**\*ATTACH TAX CERTIFICATES.**

**SIGNATURE OF APPLICANT:**

David Bowlin

Signature

05/29/2024

Date

*Planning commission Meeting:* 06/03/2024 4:30pm

*City Council Meeting:* 06/10/2024 7pm

**ADJACENT PROPERTY OWNER(S):**

Chapel Creek Investments, LLC

Name

1115 College St

Legal Address

Wharton, TX 77488

Name

Chapel Creek Investments, LLC

Legal Address

1116 Wells Street

Name

Wharton, TX 77488

Legal Address

512-289-2929

Phone

3722 Lost Creek Blvd

Physical Address

Austin, TX 78735

Phone

5122892929

Physical Address

3722 Lost Creek Blvd

Phone

Austin, TX 78735

Physical Address

**APPROVAL:**

Gwyneth Teves

Planning Department

05/30/2024

Date

Chairman of the Planning Commission

Date

Mayor

Date

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.



0 30 60 90 This d

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document .

1. This property is subject to any conflicting rights, claims or other matters which may exist or arise by virtue of any discrepancy between the fences, improvements and actual property lines as shown on the survey plat.
2. This property is subject to the rights of the public to any area located within a public roadway, street or alley.
3. This may not be a complete inventory of fences.
4. This property is subject to any and all covenants, restrictions, easements, conditions and ordinances which may be applicable.
5. This survey is valid for this transaction only.
6. Title: No Title Commitment was provided to Surveyor. No attempt was made by Surveyor to independently research or locate easements that may or may not affect Subject Tract.
7. Property owners must call the pipeline's owner or an official notification center for a precise physical location of all pipelines.
8. This tract is located wholly within the city limits of the City of Wharton, Wharton County, Texas.
9. Bearings are based on the Texas Coordinate System of 1983, Texas South-Central Zone.

As of this date (May, 2024), the "Replat of Lots 6, 7 & 8A, High School Addition", is located, by scaled map location and graphic plotting only, in Flood Hazard Boundary Zone "X", Community No. 480654, Map No. 48481C0355F, dated December 21, 2017. Property IS NOT in the area subject to inundation by the 1% annual chance flood event, a.k.a. the 100 Year Flood Plain, as designated on FEMA's National Flood Insurance Program Flood Insurance Rate Map. The National Flood Insurance Program FIRM is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources, or all planimetric features outside Special Flood Hazard Areas. This flood statement does not imply that the property and/or structures located thereon will be free from flooding or flood damage. The flood hazard area is subject to change as detailed studies occur and/or watershed or channel conditions change. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

14
13
12
11
10

- Preliminary -

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document .

That I, David Bowlin, owner of Chapel Creek Investments, and owner of the property shown in the above and foregoing map, do hereby make a Plat of said property according to the lines, streets, drives, lots, common areas, building lines and easements therein shown, and designate said property as the "Replat of Lots 6, 7 & 8A, High School Addition" in the City of Wharton, Wharton County, Texas, and do hereby bind myself, my heirs and assigns to warrant and forever defend the title to the land so dedicated.

David Bowlin, Owner

Before me, the undersigned authority, on this day personally appeared David Bowlin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgement to me that he executed the same for the purposes and considerations therein expressed.

By \_\_\_\_\_  
Notary Public in and for the State of Texas

**Replat of Lots 4 & 5,  
High School Addition Lot 4A**  
Slide 3000-Plat Cabinet Records

**Lot 5B** **Lot 5A**

**6**  
all of Lots 6, 7 & 8,  
East 52' of Lot 8,  
Lots 8 & 9, High School Addition  
Larry N. Legner, et ux  
2592902.0 R  
N 72°15'49" E 162.03'

**7**  
(all of Lots 6, 7 & 8)  
(East 52' of Lot 8, High School Addition)  
(Larry N. Legner, et ux)  
(2388633.0 R)  
N 22°12'1" E  
Capped #6319

**8A**  
call 33' x 95' Tr;  
Julius J. LaRue, et ux  
3552465.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**8B**  
call 33' x 95' Tr;  
Julius J. LaRue, et ux  
3552465.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**9**  
all of Lot 9, High School Addition  
Larry N. Legner, et ux  
2592902.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**10**  
call 57' x 95' Tr;  
James A. Dornay, et ux  
3003497.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**11**  
call 57' x 95' Tr;  
James A. Dornay, et ux  
3003497.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**12**  
call 57' x 95' Tr;  
James A. Dornay, et ux  
3003497.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**13**  
call 57' x 95' Tr;  
James A. Dornay, et ux  
3003497.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**14**  
call 57' x 95' Tr;  
James A. Dornay, et ux  
3003497.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**15**  
call 57' x 95' Tr;  
James A. Dornay, et ux  
3003497.0 R  
Set 12" I.R.  
Capped #6319  
N 72°15'49" W 65.00'

**College Street** (platted 30 ft. wide)

**High School Addition**  
3714550.0 R

**Highway No. 102 (Ogden Street)** (Tx - DOT)

Approved by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

A black and white vicinity map of Wharton, Texas. The Colorado River flows along the southern border. Major highways shown include Mike C. Pena Memorial Hwy. (1301) running north-south, Highway 60 running east-west, and Highway 102 running north-south. Local streets labeled include Richmond, Fulton, Old Boiling, Santa Fe, Alabama, Caney, Milam, Elm, Hamilton, Wells, Spanish Camp, Burlinson, Sheppard, Ford, and Railroad. A star marks the location of the subject tract at the intersection of Highway 102 and Wells Street. An arrow points from the text "Subject Tract" to this star. The word "Wharton" is written diagonally across the center of the map. At the bottom, it says "Vicinity Map" and "No Scale".

- Preliminary -

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document .

Robert W. Kolacny  
Registered Professional Land Surveyor No. 5319  
Ph. (979) 532-8056

- Preliminary -

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

# Preliminary Plat

# Replat of Lots 6, 7 & 8A High School Addition

in the City of Wharton, William Kincheloe League,  
Abstract No. 38, Wharton County, Texas

1 Lot 0 Reserves 1 Block

05/29/2024

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Developers:  
 Chapel Creek Investments  
 David Bowlin, Owner  
 3722 Lost Creek Blvd  
 Austin, TX. 78735  
 512-289-2929

FILE: Replat Lots 6, 7, 8A SD dwg  
 PROJECT: W\Wharton\City  
 CDR: Canabett CRD  
 BY: PV Arriaga

140 S. HOUSTON STREET | WHARTON TEXAS 77486 | 979.532.8056  
 - Registered Professional Land Surveyors -  
 OFFICE (979) 532-8056 - kolacny.survey@gmail.com



Map Search

Address

▼ 123 Generic Street

Item-2.

Property ID: 16953 ↗

Owner Name: CHAPEL CREEK INVESTMENTS LLC

VIEW INFO

© 2024 Microsoft Corporation

© 2024 Maxar

© CNES (2024) Distribution Airbus DS

© 2024 TomTom

[Terms of Use](#)

100 ft

Resolution: 0.33

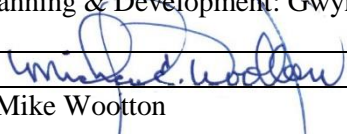
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1/1

City of Wharton  
120 E. Caney Street  
Wharton, TX 77488

## PLANNING COMMISSION

Meeting Date:	6/3/2024	Agenda Item:	Request from Mr. Robert Fleming Jr. on behalf of Keith Gerard Home Solutions to replat 606 Old Boling Rd., Wm. Kincheloe, Block 64-A9 for residential development.
<p>At this time, the Commission may review and consider a request from Mr. Robert Fleming Jr. on behalf of Keith Gerard Home Solutions to replat 606 Old Boling Rd., Wm. Kincheloe, Block 64-A9 for residential development.</p> <p>See attached supporting documents.</p>			
Director of Planning & Development: Gwyneth Teves		Date: Thursday, May 30, 2024	
Approval: 			
Chairperson: Mike Wootton			

**CITY OF WHARTON  
PLANNING COMMISSION  
APPLICATION  
FOR  
PLAT OR RE-PLAT**

Item-3.

**NOTE:** If plat or re-plat request is approved by the Planning Commission, the request will then be presented at the next City Council meeting for City Council consideration. Attendance by the applicant requesting the variance is mandatory during the City Council meeting. If applicant fails to attend the meeting, the variance request will not be considered by the City Council at that time.

Robert Fleming Jr

5/28/2024

Name (Printed)

Date

606 Old Boling rd, Wharton, TX 77488

1110 Plantation dr, Richmond, TX 77406

Physical Address

Mailing Address

WM.KINCHELOE BLOCK 64A-9

832-782-7233

Legal Address

Phone

**\*ATTACH A PRELIMINARY/FINAL DRAWING OF THE RE-PLAT.**

**\*ATTACH TAX CERTIFICATES.**

**SIGNATURE OF APPLICANT:**

*Robert Fleming Jr.*  
Signature

5/28/24

Date

Planning commission Meeting: 06/03/2024 4:30pm

City Council Meeting: 06/10/2024 7:00pm

**ADJACENT PROPERTY OWNER(S):**

Kelly Boedeker

Name

Phone

WM.KINCHELOE BLOCK 64A-9B 1776 AIRLINE SERIAL # 544356

1601 John Knox Street, Wharton, TX 77488

Legal Address

Physical Address

Louis Hernandez

Name

Phone

WM.KINCHELOE BLOCK 64A-9A

602 OLD BOLING RD, WHARTON, TX 77488

Legal Address

Physical Address

Name

Phone

Legal Address

Physical Address

**APPROVAL:**

*Gwyneth Teves*  
Planning Department

5/29/2024

Date

Chairman of the Planning Commission

Date

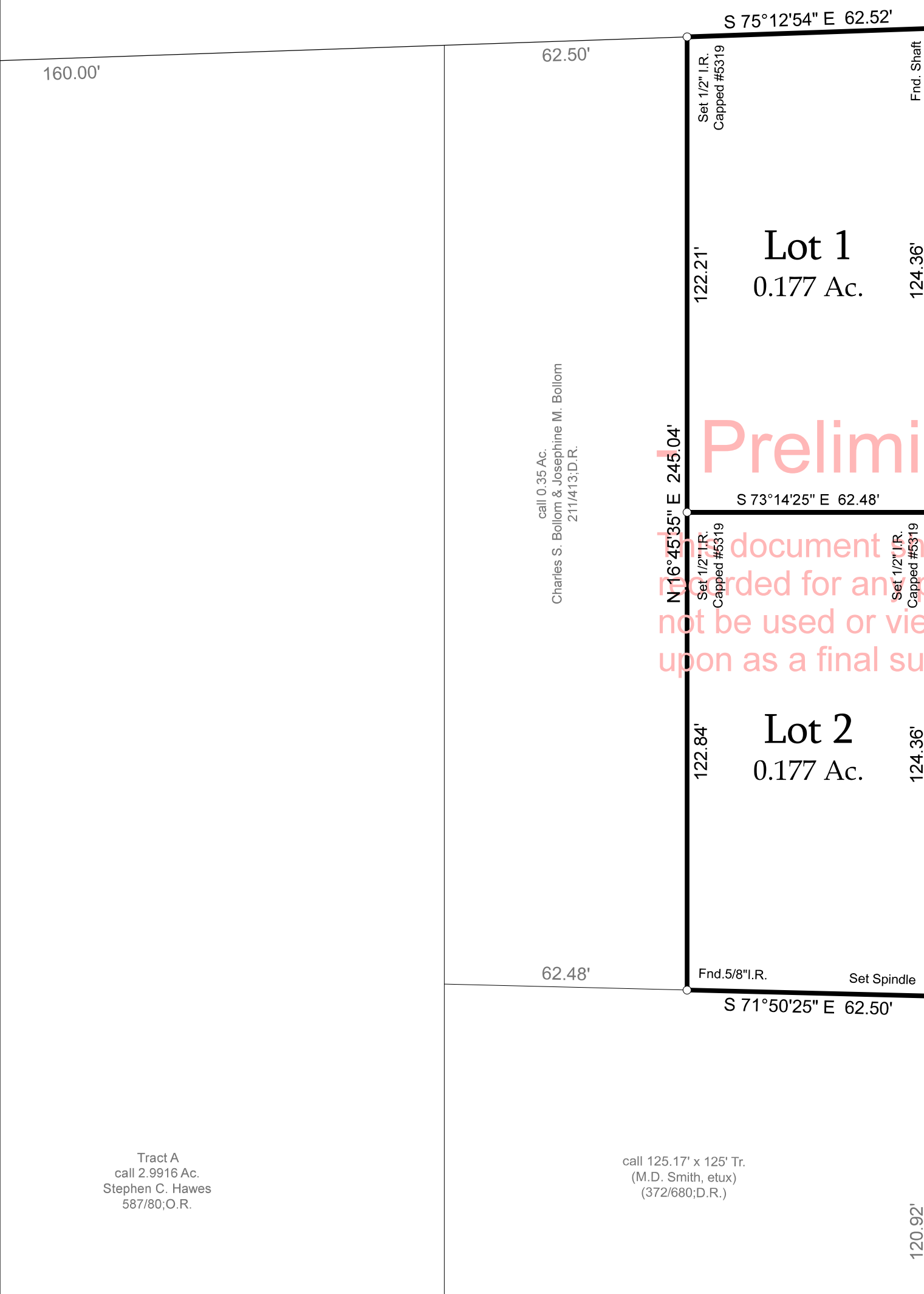
Mayor

Date

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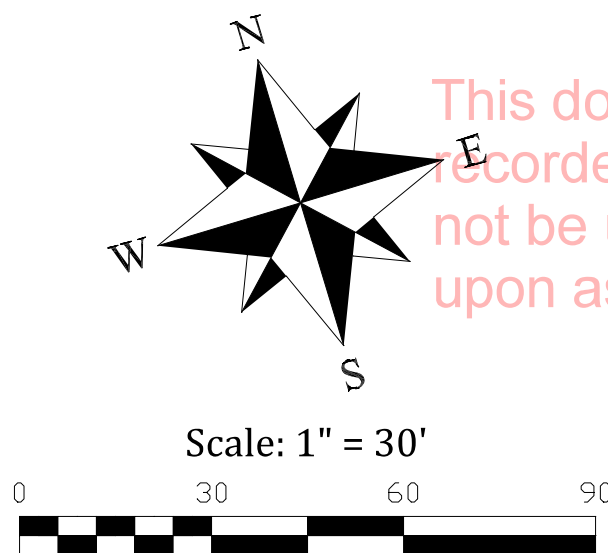
Old Boling Road (platted 60 ft. wide)



- Preliminary -

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document .

- Preliminary -



## Flood Hazard Boundary Information:

As of this date (May, 2024), "Fleming - Etienne Subdivision" is located, by scaled map location and graphic plotting only, in Flood Hazard Boundary Shaded Zone "X", Community No. 480654, Map No. 48481C0355 F, dated DECEMBER 21, 2017. Property IS NOT in the area subject to inundation by the 1% annual chance flood event, a.k.a. the 100 Year Flood Plain. Property IS in the area subject to inundation by the 0.2% annual chance flood event, a.k.a. the 500 Year Flood Plain as designated on FEMA's National Flood Insurance Program Flood Insurance Rate Map. The National Flood Insurance Program FIRM is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources, or all planimetric features outside Special Flood Hazard Areas. This flood statement does not imply that the property and/or structures located thereon will be free from flooding or flood damage. The flood hazard area is subject to change as detailed studies occur and/or watershed or channel conditions change. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

## Note:

- This property is subject to any conflicting rights, claims or other matters which may exist or arise by virtue of any discrepancy between the fences, improvements and actual property lines as shown on the survey plat.
- This property is subject to the rights of the public to any area located within a public roadway, street or alley.
- This may not be a complete inventory of fences.
- This property is subject to any and all covenants, restrictions, easements, conditions and ordinances which may be applicable.
- This survey is valid for this transaction only.
- Title: No Title Commitment was provided to Surveyor. No attempt was made by Surveyor to independently research or locate easements that may or may not affect Subject Tract.
- Property owners must call the pipeline's owner or an official notification center for a precise physical location of all pipelines.

THE STATE OF TEXAS  
COUNTY OF WHARTON

I, Barbara Svatek, County Clerk in and for Wharton County, Texas, hereby certify that the foregoing instrument was filed for recordation in my office

on this \_\_\_\_\_ day of \_\_\_\_\_, 2024,

at \_\_\_\_\_ O'clock \_\_\_\_ M. in Slide Number \_\_\_\_\_ of

the Plat Cabinet Records III, Wharton County, Texas.

Witness my hand and seal of office, at Wharton, Wharton County, Texas, the day and date last above written.

County Clerk, Wharton County, Texas

By: \_\_\_\_\_  
DeputyTHE STATE OF TEXAS  
COUNTY OF WHARTON  
CITY OF WHARTON

This plat is hereby approved by the Planning Commission of the City of Wharton, Wharton County, Texas. In testimony whereof witness the official signature:

Chairman, Planning Commission Secretary, Planning Commission

Approved by the Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

THE STATE OF TEXAS  
COUNTY OF WHARTON  
CITY OF WHARTON

This plat is hereby approved by the City Council of the City of Wharton, Wharton County, Texas. In testimony whereof witness the official signature:

Mayor City Secretary

Approved by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

THE STATE OF TEXAS  
COUNTY OF WHARTON  
CITY OF WHARTON

Known all men by these presents:

That I, Robert Fleming, Jr., do hereby make a Plat of said property according to the lines, streets, drives, lots, common areas, building lines and easements therein shown, and designate said property as the "Fleming - Etienne Subdivision" in the City of Wharton, Wharton County, Texas, and do hereby bind myself, my heirs and assigns to warrant and forever defend the title to the land so dedicated.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Robert Fleming, Jr., Owner

THE STATE OF TEXAS  
COUNTY OF WHARTON

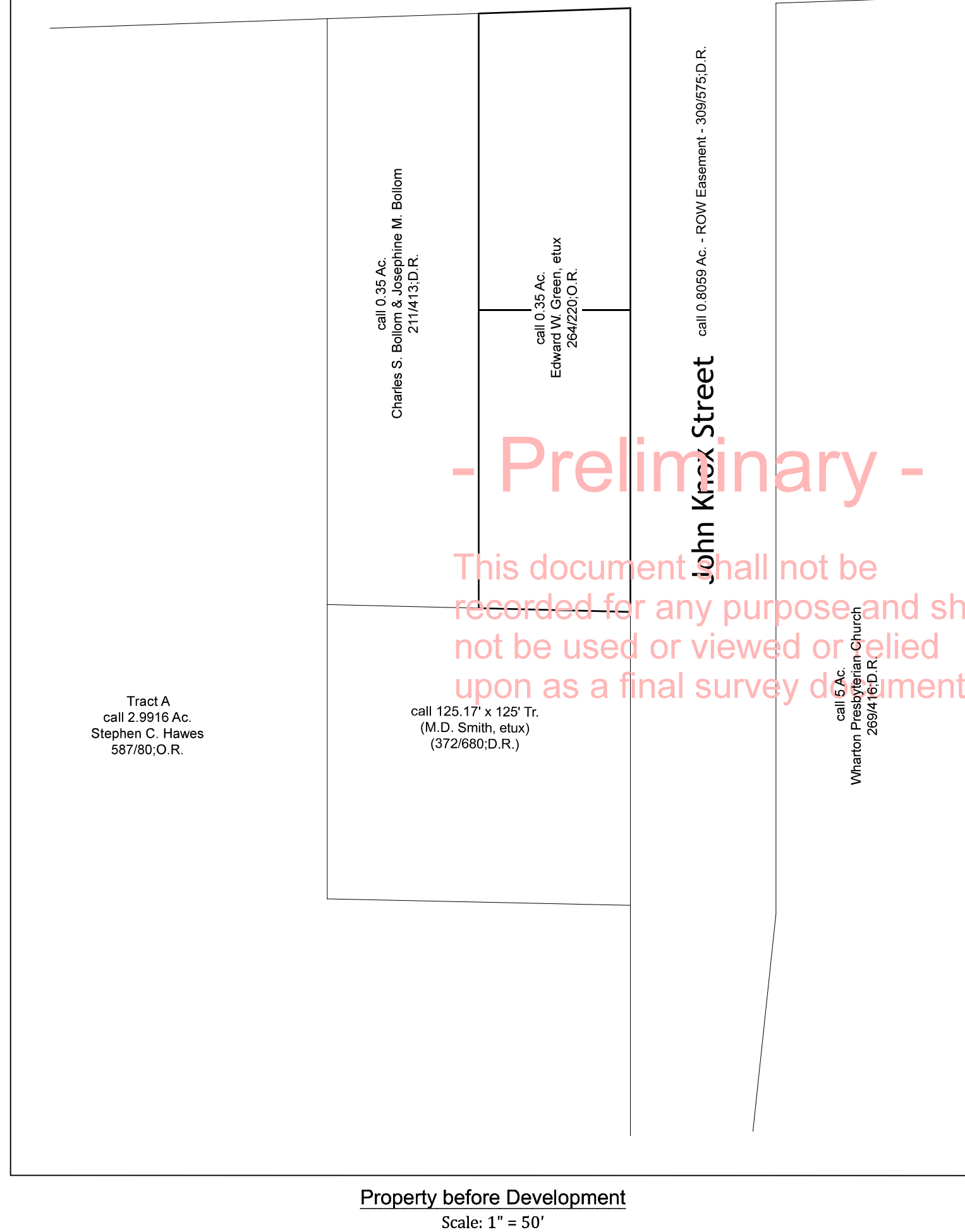
Before me, the undersigned authority, on this day personally appeared Robert Fleming, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgement to me that he executed the same for the purposes and considerations therein expressed.

Witness my hand and seal of office

this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

By \_\_\_\_\_  
Notary Public in and for the State of Texas

Old Boling Road (platted 60 ft. wide)



- Preliminary -

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document .

- Preliminary -

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document .

THE STATE OF TEXAS  
COUNTY OF WHARTON  
CITY OF WHARTON

Known all men by these presents:

That I, Brian Etienne, do hereby make a Plat of said property according to the lines, streets, drives, lots, common areas, building lines and easements therein shown, and designate said property as the "Fleming - Etienne Subdivision" in the City of Wharton, Wharton County, Texas, and do hereby bind myself, my heirs and assigns to warrant and forever defend the title to the land so dedicated.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

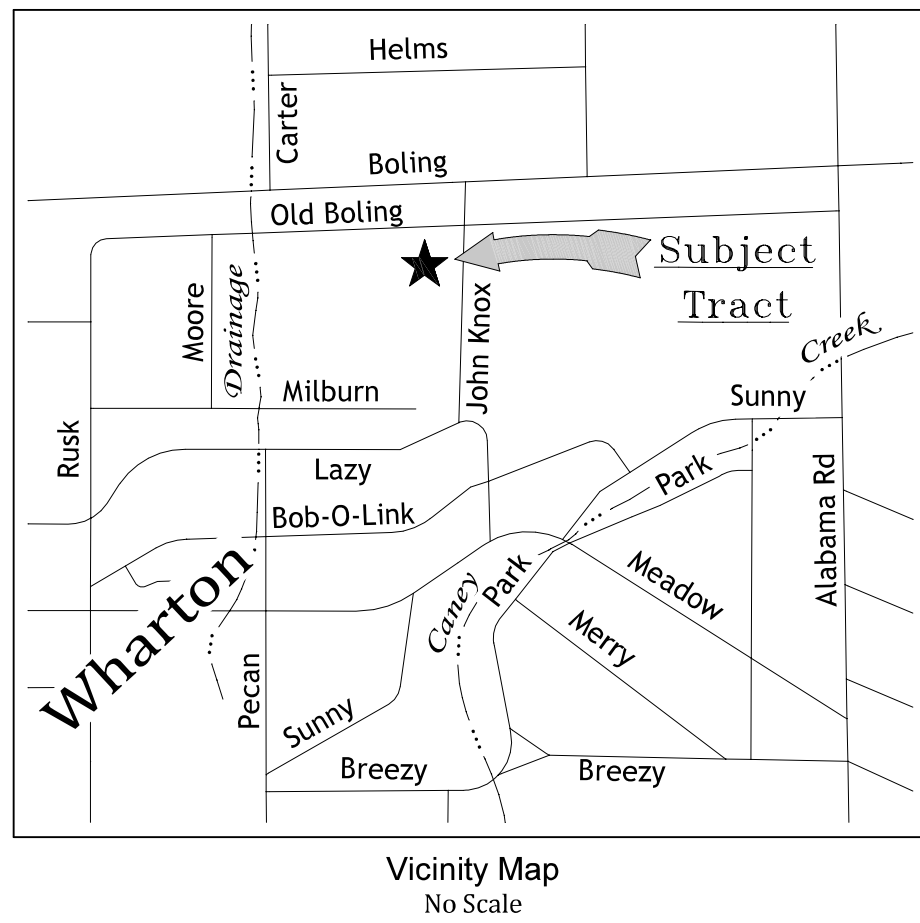
Brian Etienne, Owner

THE STATE OF TEXAS  
COUNTY OF WHARTON

Before me, the undersigned authority, on this day personally appeared Brian Etienne, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgement to me that he executed the same for the purposes and considerations therein expressed.

Witness my hand and seal of office

this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

By \_\_\_\_\_  
Notary Public in and for the State of Texas

I, Robert W. Kolacny, am authorized under the laws of the State of Texas to practice the Profession of Land Surveying and hereby certify that the above plat is true and correct, was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron monuments.

Dated: May 15, 2024

Robert W. Kolacny  
Registered Professional Land Surveyor No. 5319  
Ph. (979) 532-8056Preliminary Plat  
of the

Fleming - Etienne  
Subdivision

A 0.354 Ac. Tract of land, situated in the  
William Kincheloe League, Abstract No. 38,  
in the  
City of Wharton  
Wharton County, TX

2 Lots 0 Reserves 1 Block

05/20/2024

Developer:  
Robert Fleming, Jr.  
606 Old Boling Rd.  
Wharton, TX 77488  
832-782-7233Developer:  
Brian Etienne  
606 Old Boling Rd.  
Wharton, TX 77488  
713-894-1402

**ROBERT W. KOLACNY**  
AND ASSOCIATES, L.L.C.  
140 S. HOUSTON STREET | WHARTON TEXAS 77488 | 979.532.8056  
FIRM 10000007

- Registered Professional Land Surveyors -  
OFFICE (979) 532-8056 - kolacny.survey@gmail.com

FILE: Replat 606 Old Boling Rd SD.dwg  
PROJECT: W Wharton City Lots Addition  
CRD: Sonix CRD  
BY: PV Arriaga



Map Search

Address

123 Generic Street

Item-3.

Bing Map Aerial

Property ID: 18634

Owner Name: KEITH GERARD HOME SOLUTIONS LLC

VIEW INFO

60506

S10745 WM KINGHELOE

60508

S11445 WHARTON

18635

18634

18636

John Knox St

A38 KINGHELOE, W

18607

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©CNES (2024) Distribution Airbus DS

© 2024 TomTom

[Terms of Use](#)

50 ft

Resolution: 0.27

Powered By: <TRUE PRODIGY>

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