



**CITY OF WHARTON
PLANNING COMMISSION MEETING**

**Monday, May 2, 2022
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, May 2, 2022, 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 28 day of April 2022.

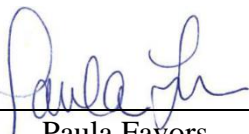
By: /s/ Mike Wootton
Mike Wootton
Chairperson

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 April 28, 2022, at 04:30 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 28 day of April 2022.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
Planning Commission Meeting
Monday, May 2, 2022
City Hall - 4:30 PM

Call to Order.

Roll Call.

Review & Consider:

1. Reading of the minutes from the regular called meeting held April 4, 2022.
2. Request by Marshall Francis at 704 N. Richmond Rd., Cloud, Block 51, Lots 13A-1, 5 & 6 for replat.
3. Request by Mr. Jimmy Shelton on behalf of Emerson Heights LLC for replat of Gallaher, Lots 4, 5, 6, 7, 8 & 9 and Godsey, Lots 7B, 8A, 8B, 9, 10, 11 & 12 for multi-family development.

Adjournment.

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

PLANNING COMMISSION

Meeting Date:	5/2/2022	Agenda Item:	Reading of the minutes from the regular called meeting held April 4, 2022.
<p>At this time, the Commission may review and approve the minutes from the regular called meeting held April 4, 2022.</p>			
Director of Planning & Development: Gwyneth Teves		Date: Thursday, April 28, 2022	
Approval:			
Chairman: Mike Wootton			

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

**Monday, April 4, 2022
4:30 P.M.**

Mike Wootton, Chairperson declared the meeting of the Planning Commission duly open for the transaction of business at 04:50 p.m.

Commissioners present were: Mike Wootton, Rob Kolacny, Marshall Francis and Adryalle Watson.

Commissioners absent were: Burnell Neal, Russell Cenko and Michael Quinn.

Staff members present were: Gwyneth Teves, Director of Planning & Development and Krystal Hasselmeier, Planning & Development Specialist.

Visitors present were:

Call to Order.

Roll Call.

Review and Consider:

The first item on the agenda was to review and consider reading of the minutes from the regular called meeting held November 15, 2021. Rob Kolacny, Commissioner moved to approve the minutes as presented. Adryalle Watson, Commissioner seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request by New Diamond Investments LLC at Wm. Kincheloe, Block 64F1 for replat. Adryalle Watson, Commissioner moved to recommend the replat to the City Council for final approval. Rob Kolacny, Commissioner seconded the motion. All voted in favor.

Adjournment. The meeting adjourned at 4:54 p.m.

Mike Wootton, Chairperson

Rob Kolacny, Secretary

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

PLANNING COMMISSION

Meeting Date:	5/2/2022	Agenda Item:	Request by Marshall Francis at 704 N. Richmond Rd., Cloud, Block 51, Lots 13A-1, 5 & 6 for replat.
<p>At this time, the Commission may review and consider a request by Marshall Francis at 704 N. Richmond Rd., Cloud, Block 51, Lots 13A-1, 5 & 6 for replat.</p> <p>See attached application and supporting documentation.</p>			
Director of Planning & Development: Gwyneth Teves		Date: Thursday, April 28, 2022	
Approval:			
Chairman: 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.

Marshall C Francis
Name (Printed)
704 N. Richmond Rd.
Physical Address
Cloud, Block 51, Lots 13A-1, 5, 6
Legal Address

4/19/22
Date
808 N Richmond Rd
Mailing Address
532 3823
Phone

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

SIGNATURE OF APPLICANT:

Marshall C Francis
Signature

4/19/22
Date

Planning commission Meeting: 5.2.22 4:30 pm
City Council Meeting: 5.9.22 7pm

ADJACENT PROPERTY OWNER(S):

Diann Segeest
Name
Cloud, Blk 51, Lot 13A-2, 13A-2A, 13B, 13C
Legal Address
Marshall C Francis
Name
Cloud, Blk 51, Lot 4
Legal Address
Barbara Hawes Trust
Name
Cloud, Blk 51, Lot 7
Legal Address

Phone
220 W 1st
Physical Address
Phone
N. Richmond
Physical Address
Phone
218 W 1st
Physical Address

APPROVAL:

Gwyneth Teves
Planning Department

4.25.22
Date

Chairman of the Planning Commission

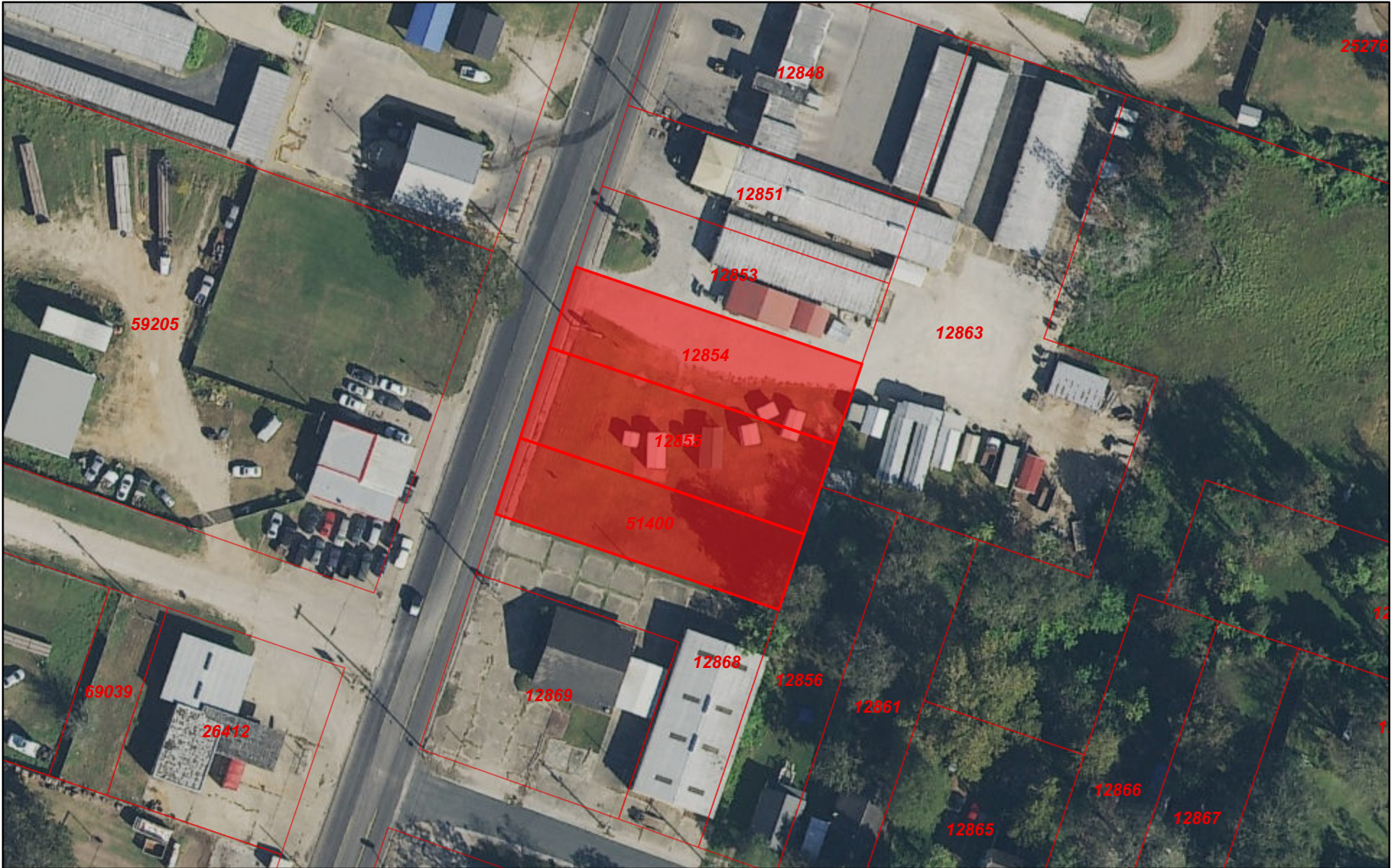
Date

Mayor

Date

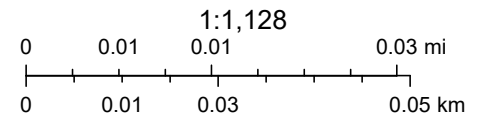
Replat Cloud, Blk 51, Lots 13A-1, 5, 6

Item-2.



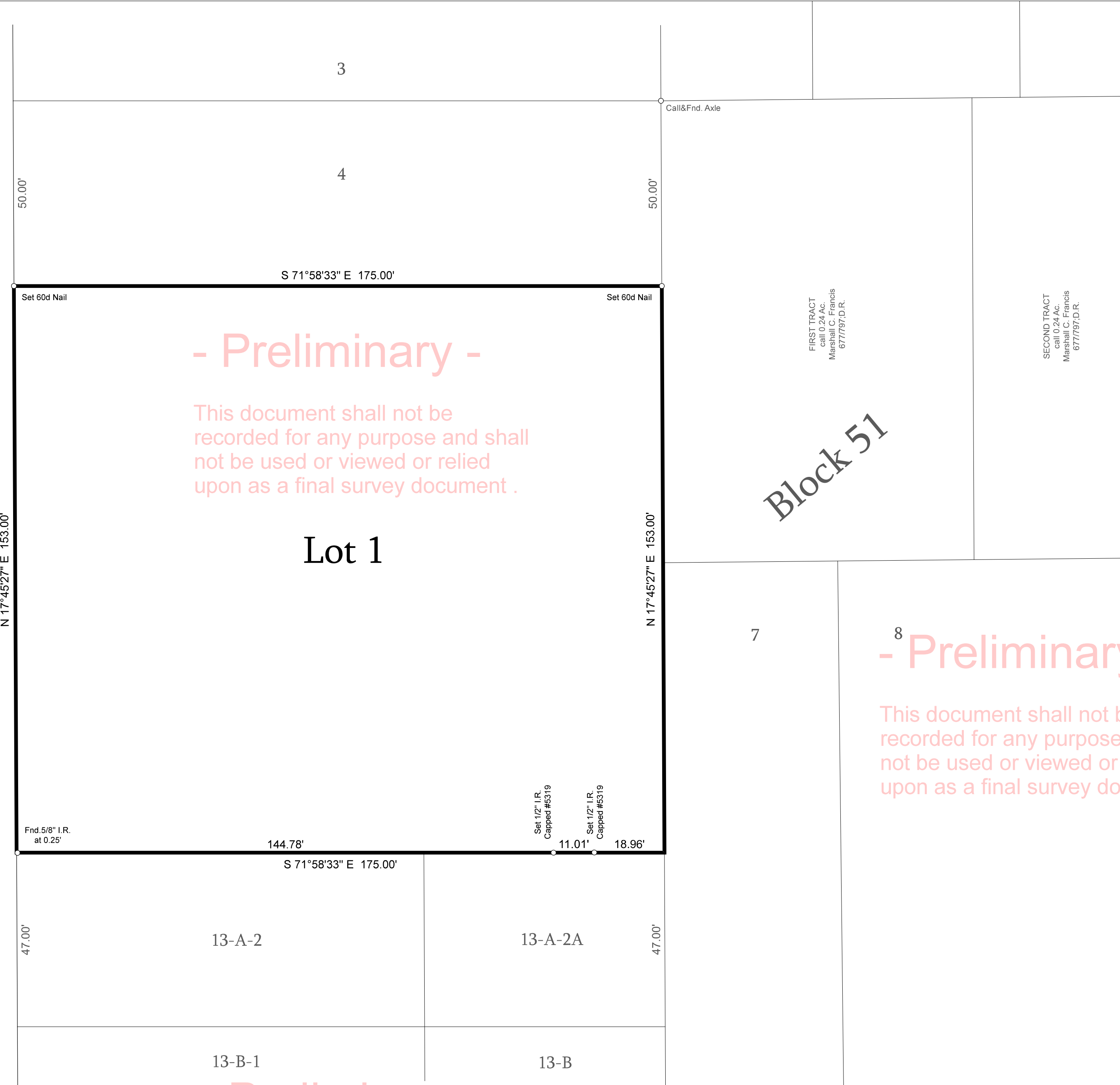
4/27/2022, 2:12:21 PM

Override 1 Parcels Abstracts



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N. Richmond Road (1639 at sec.D.R.)



- 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 .

Lot 1

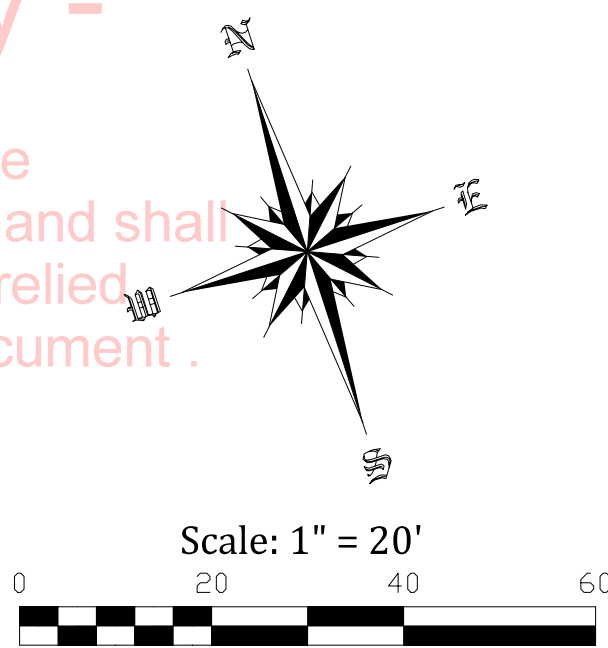
Block 51

- 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 .



Note: Building Lines are set by City Council and/or City Ordinance.

Note: This tract is located wholly within the city limits of the City of Wharton, Wharton County, Texas.

Flood Hazard Boundary Information:

As of this date (August, 2021), the "Replat of Lots 5, 6 & a portion of Lot 13-A, Block 1", is located, by scaled map location and graphic plotting only, in Flood Hazard Boundary Zone "X" and Zone "AE". Community No. 480654, Map No. 48481C0355 F, dated December 21, 2017. A portion of the Property IS 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.

THE STATE OF TEXAS
COUNTY OF WHARTON
CITY OF WHARTON

Known all men by these presents:

That I, Marshall C. Francis, 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 5, 6 & a portion of Lot 13-A, Block 1" 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 in Wharton, Wharton County, Texas,

this _____ day of _____, 2021.

Marshall C. Francis, Owner

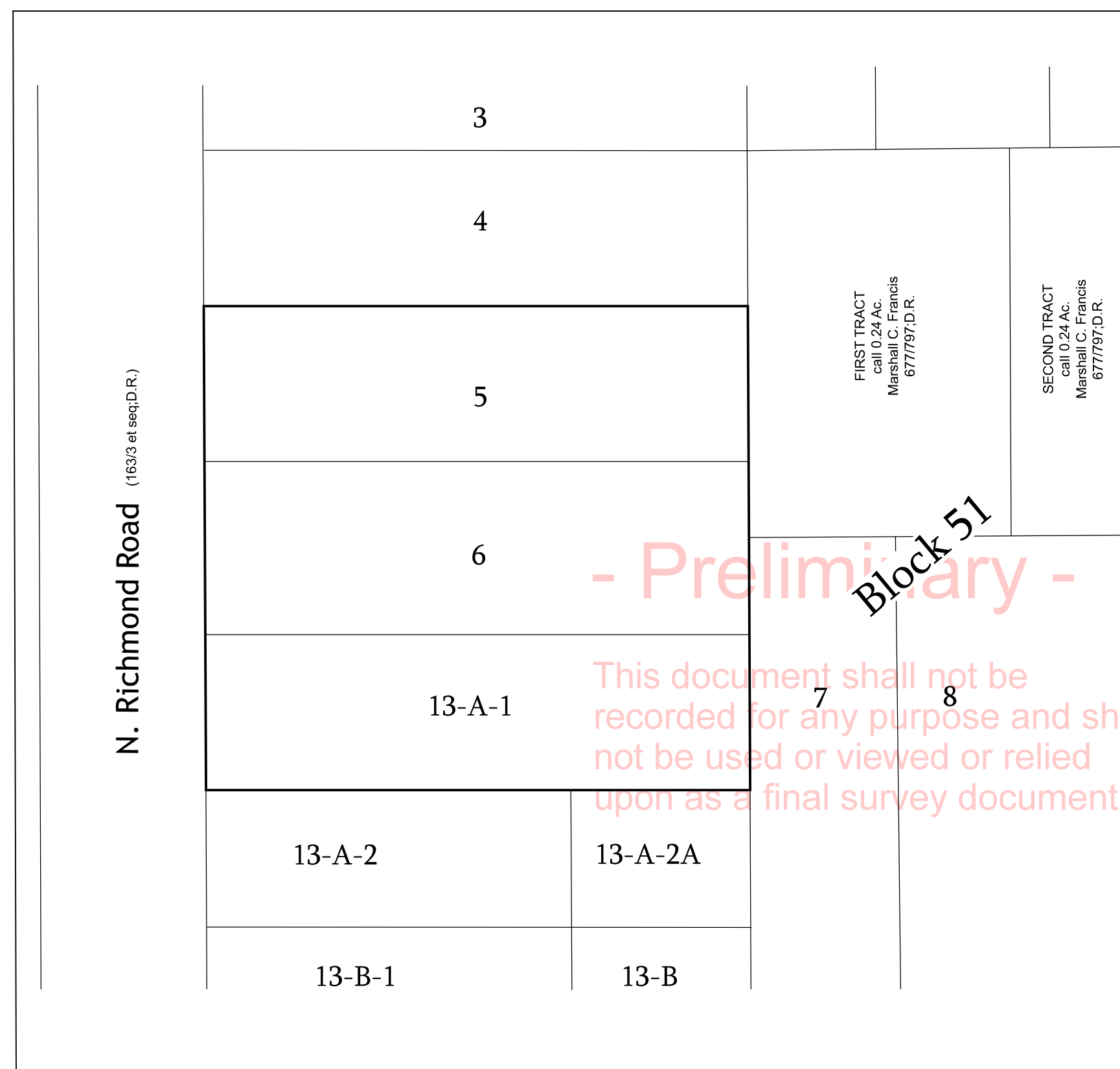
THE STATE OF TEXAS
COUNTY OF WHARTON

Before me, the undersigned authority, on this day personally appeared Marshall C. Francis, 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 _____, 2021.

By _____
Notary Public in and for the State of Texas



Property Before Development
Scale: 1" = 40'

- 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

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

the _____ day of _____, 2021,

at _____ O'clock _____ M. in Slide Number _____ of

the Plat Cabinet III Records, of 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: _____
Deputy

THE 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

_____, 2021.

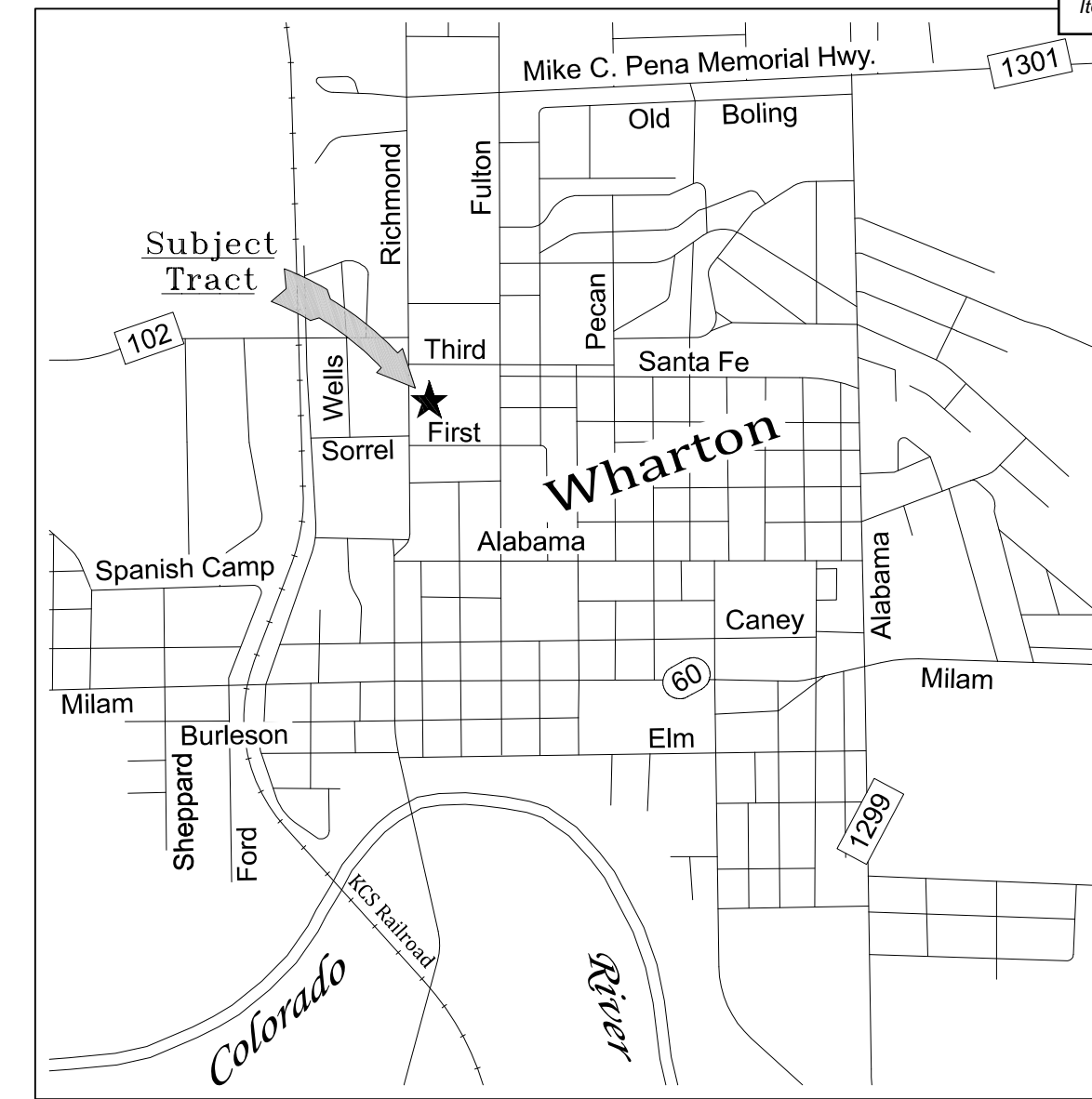
THE STATE OF TEXAS
COUNTY OF WHARTON
CITY OF WHARTON

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

_____, 2021.



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: August 11, 2021

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

Preliminary Plat

of the

Replat of Lots 5, 6 & a portion of Lot 13-A, Block 51

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

1 Lot 0 Reserves 1 Block 08/16/2021

Developer:
Marshall C. Francis
808 N. Richmond Road
Wharton, TX 77488
979-532-3823



140 S. HOUSTON STREET | WHARTON, TEXAS 77488 | 979.532.8056
- Registered Professional Land Surveyors -
OFFICE (979) 532-8056 - kolacny.survey@gmail.com

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

PLANNING COMMISSION

Meeting Date:	5/2/2022	Agenda Item:	Request by Mr. Jimmy Shelton on behalf of Emerson Heights LLC for replat of Gallaher, Lots 4, 5, 6, 7, 8 & 9 and Godsey, Lots 7B, 8A, 8B, 9, 10, 11 & 12 for multi-family development.
<p>At this time, the Commission may review and consider a request by Mr. Jimmy Shelton on behalf of Emerson Heights LLC for replat of Gallaher, Lots 4, 5, 6, 7, 8 & 9 and Godsey, Lots 7B, 8A, 8B, 9, 10, 11 & 12 for multi-family development.</p> <p>See attached application and supporting documentation.</p>			
Director of Planning & Development: Gwyneth Teves		Date: Thursday, April 28, 2022	
Approval:			
Chairman: Mike Wootton			

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

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.

Jimmy Shelton
Name (Printed)
521 W Milam
Physical Address
GALLAHER LOT 4,5,6 7,8,9
Legal Address

4/27/2022
Date
10193 W Grand PKWY S, Richmond TX 77407
Mailing Address
361-412-8036
Phone

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

SIGNATURE OF APPLICANT:

Jimmy Shelton
Signature

4/27/2022
Date

Planning commission Meeting: May 2, 2022 4:30pm
City Council Meeting: May 9, 2022 7:00pm

ADJACENT PROPERTY OWNER(S):

JONES CARLICIA S
Name
GALLAHER LOT 10
Legal Address
BAIRD RUSSELL J
Name
GALLAHER LOT 1,2A,2B,3
Legal Address
CUEVAS ANGEL J JR & ESPERANZA
Name
GALLAHER LOT 19,20,21,22B
Legal Address

Phone
527 W Milam
Physical Address
Phone
104 S RICHMOND RD WHARTON
Physical Address
Phone
506 W BURLESON WHARTON
Physical Address

APPROVAL:

Gwyneth Teves
Planning Department

4/27/2022
Date

Chairman of the Planning Commission

Date

Mayor

Date

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


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.

Jimmy Shelton
Name (Printed)
522 W Milam
Physical Address
GODSEY LOT 7B,8A,8B,9,10,11,12
Legal Address

4/27/2022
Date
10193 W Grand PKWY S, Richmond TX 77407
Mailing Address
361-412-8036
Phone

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

SIGNATURE OF APPLICANT:


Signature

4/27/2022
Date

Planning commission Meeting: May 2, 2022 4:30pm
City Council Meeting: May 9, 2022 7pm

ADJACENT PROPERTY OWNER(S):
GLAZE DANNY

Name
GODSEY LOT 13
Legal Address
MCGREW ROBERT L JR

Phone
550 W MILAM WHARTON
Physical Address

Name
GODSEY LOT 7
Legal Address
MANN GARLAND R

Phone
450 W MILAM WHARTON
Physical Address

Name
GODSEY LOT 20,21,22,23A
Legal Address

Phone
501 W CANEY WHARTON
Physical Address

APPROVAL:


Planning Department

4/27/2022
Date

Chairman of the Planning Commission

Date

Mayor

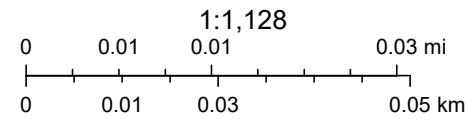
Date

Replat Emerson Heights



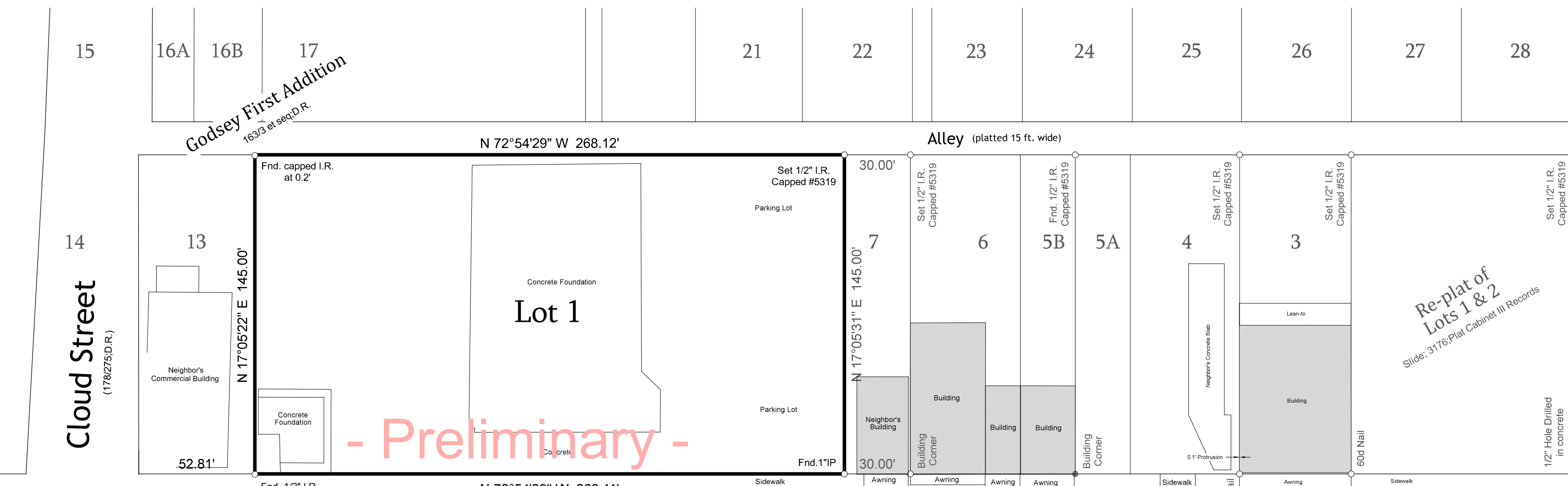
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-  Parcels



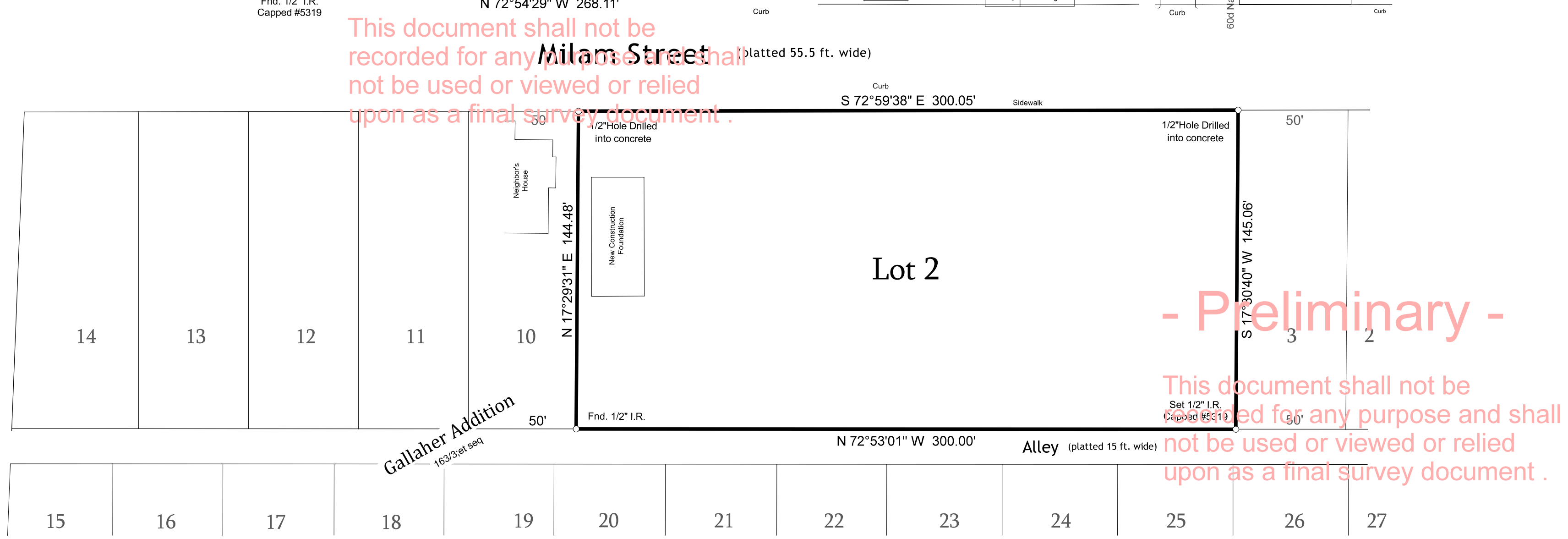
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Wharton Central Appraisal District, BIS Consulting - www.bis...
Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



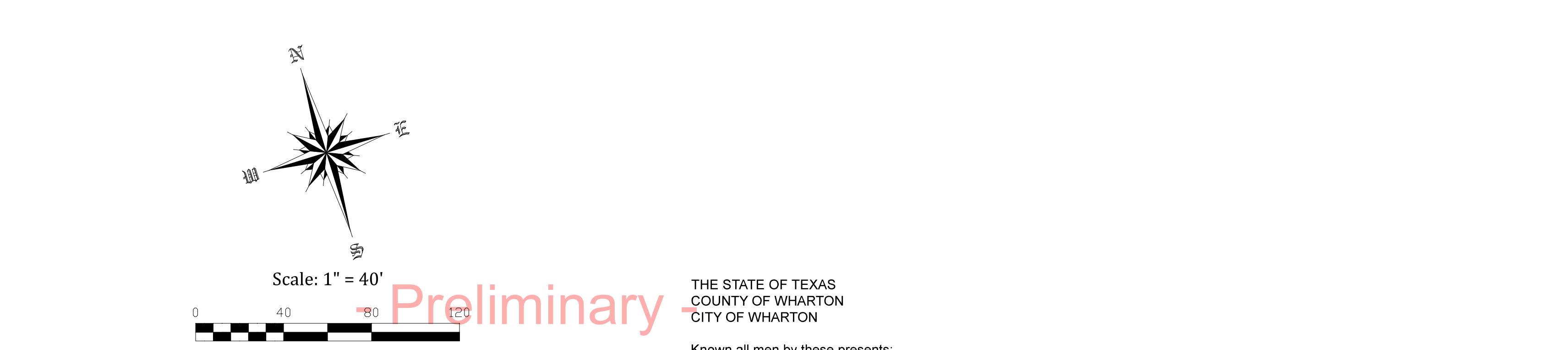
- Preliminary -

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 -

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Note: Building Lines are set by City Council and/or City Ordinance.

Note: This tract is located wholly within the city limits of the City of Wharton, Wharton County, Texas.

Flood Hazard Boundary Information:

As of this date (April, 2022), the "Emerson Milam Street Project", is located, by scaled map location and graphic plotting only, in Flood Hazard Boundary Zone "X", Community No. 480654, Map No. 48481C0355 F and Map No. 48481C0365 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, 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.

THE STATE OF TEXAS
 COUNTY OF WHARTON
 CITY OF WHARTON

Known all men by these presents:

That Emerson Heights, LLC, owner of the property shown in the above and foregoing map, does 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 "Emerson Milam Street Project" in the City of Wharton, Wharton County, Texas, and does hereby bind itself, its heirs and assigns to warrant and forever defend the title to the land so dedicated.

Witness my hand in Wharton, Wharton County, Texas, this _____ day of _____, 2022.

Jimmy Shelton, Managing Member

THE STATE OF TEXAS
 COUNTY OF WHARTON

Before me, the undersigned authority, on this day personally appeared Jimmy Shelton, 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 _____, 2022.

By _____
 Notary Public in and for the State of Texas

THE 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

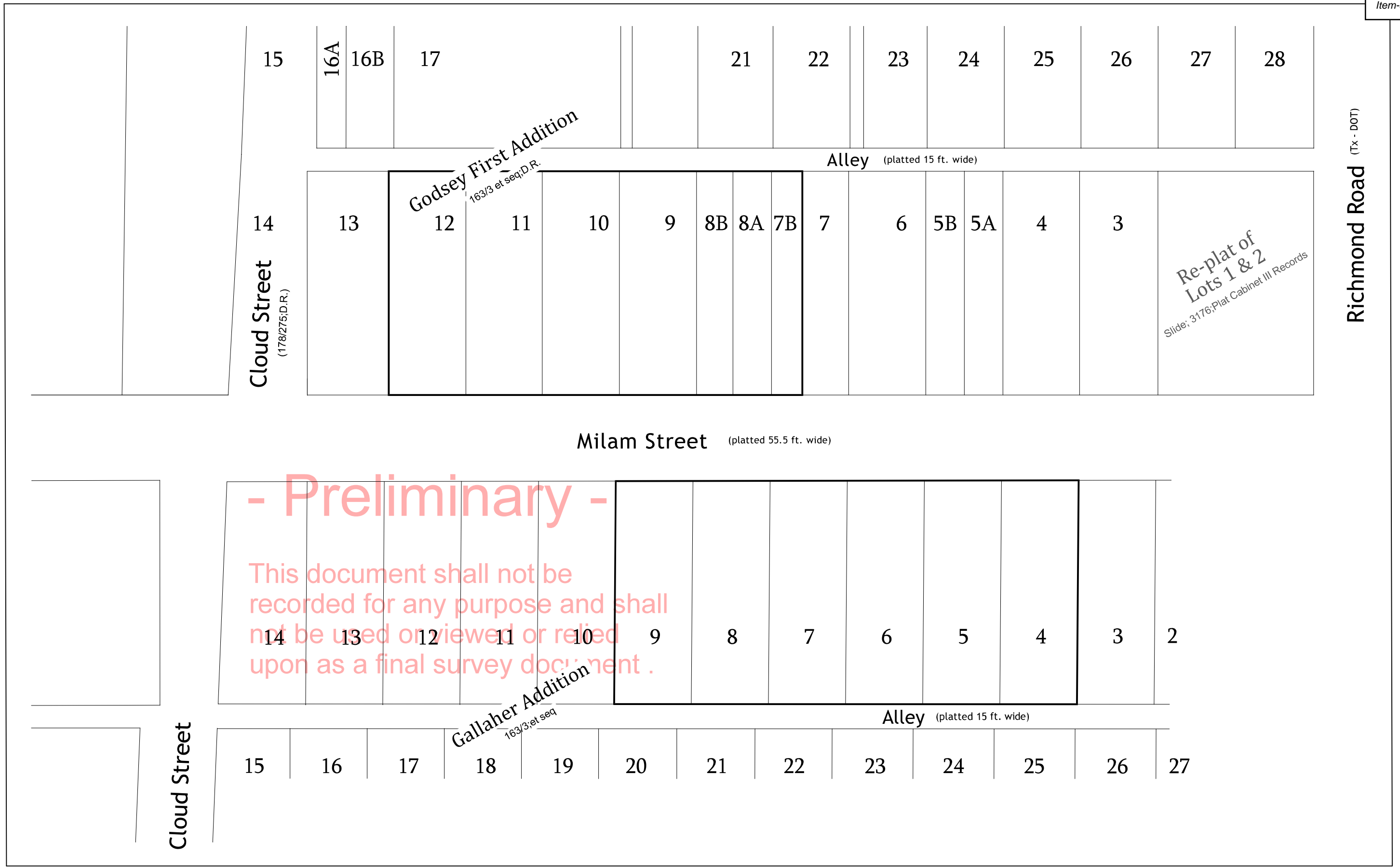
 Secretary, Planning Commission

Approved by the Planning Commission this _____ day of _____, 2022.

 Mayor

 City Secretary

Approved by the City Council this _____ day of _____, 2022.



- Preliminary -

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Property Before Development
Scale: 1" = 60'

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: February 18, 2022

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.

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

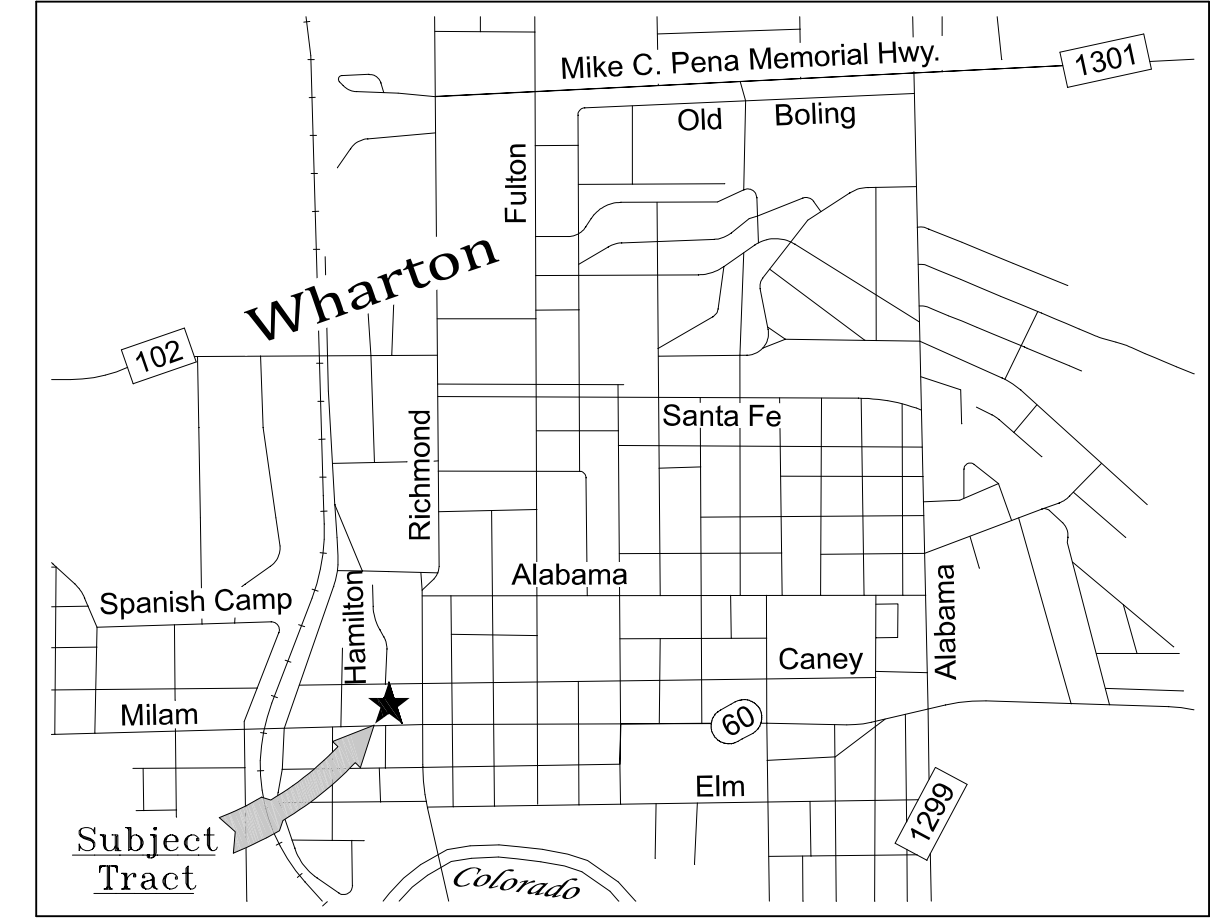
the _____ day of _____, 2022,

at _____ O'clock ____ M. in Slide Number _____ of the Plat Cabinet III Records, of 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: _____
 Deputy



Vicinity Map
No Scale

Preliminary Plat of the Emerson Milam Street Project

being the Re-plat of Lots 7B, 8A, 8B, 9, 10, 11, 12, Godsey First Addition, and Lots 4, 5, 6, 7, 8, 9, Gallaher Addition, William Kincheloe League, Abstract No. 38, City of Wharton, Wharton County, Texas

2 Lots 0 Reserves 1 Block 04/20/2022

Developers:
 Emerson Heights
 1110 Sweet Dumping Dr.
 Richmond, TX 77405-1398
 361-412-8036

ROBERT W. KOLACNY
 AND ASSOCIATES, L.L.C.
 Registered Professional Land Surveyors

140 S. HOUSTON STREET | WHARTON TEXAS 77488 | 979.532.8056
 PROJECT: W\Wharton\City\Gallaher
 ORD: Convey.CRD
 BY: PV Arriaga
 OFFICE (979) 532-8056 - kolacny.survey@gmail.com