



MINUTES

Of A

REGULAR COUNCIL MEETING

September 8, 2016

The City Council of the City of Longview, Texas, met in a Regular Session, September 8, 2016, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Andy Mack
Ed Moore
Nona Snoddy
Kasha Williams

David Wright
Steven Pirtle

Staff members present were:

David Willard, City Manager
Shelly Ballenger, City Secretary
Jim Finley, City Attorney
Michael Shirley, Director of Development Services
Laura Hill, Director of Community Services
Scott Caron, Director of Parks and Recreation
Angela Coen, Director of Financial Services
Mary Ann Miller, Director of Administration
J.P. Steelman, Fire Chief
Mike Bishop, Police Chief

Members absent were:

Kristin Ishihara

I. Call to Order – Mayor Andy Mack called the meeting to order.

II. Invocation – Pastor Bud Miller of Wesley – McCabe United Methodist Church gave the invocation.

III. Pledge of Allegiance – Pastor Bud Miller of Wesley – McCabe United Methodist Church led the pledge of allegiance.

IV. Employee Recognition

The Finance Division is responsible for the administration and accounting of the City's financial affairs, which includes: accounts payables and receivables, cash, investment and debt management, accounting of the City's fixed assets and capital improvements program, coordination of the annual financial audit and preparation of the annual City budget.

This involves the processing of over 29,000 invoices, depositing and recording over \$76 million dollars in revenue, managing investments of over \$31 million dollars, and preparing the annual City budget of over \$154 million dollars.

Over the last 30 years, the Finance division has received many awards which include the GFOA Certificate of Achievement for Excellence in Financial Reporting for 27 years and the GFOA Certificate of Achievement for Budgeting for 28 years. Recently, the City of Longview was honored to be the recipient of the Platinum Texas Comptroller Leadership Circle award for Municipal Financial Transparency.

The Finance Division includes the Finance Director Angela Coen, Finance Manager Kimberly Adams, Accounts Receivable and Payable Specialists Jessica Connor, Bianca Cummings, and Stephanie Ellis, Budget Accountant Angela Walker, Grant/CIP Accountant Cara Clifton, and Utility Accountant Jeannette Jennings.

V. Citizen Comment

No citizens were available for comments.

VI. Public Safety Update

A. Police

Chief Bishop gave a police update. He began by giving out the statistics and went over a few preventative efforts to avoid crime.

Crime Analysis – August 1 - 31, 2016

Total Calls:	10,464
Dispatched:	5,578
Officer Initiated:	4,886

Persons Arrested:	156
Felony Arrests:	20
Total Charges:	28

Misdemeanor Arrest:	149
Total Charges:	305

National Night Out, Kick-Off Party was held Tuesday, September 6, 2016, at the Maude Cobb Convention and Activity Complex, 100 Grand Boulevard. There were a total of 59 Block Parties that registered at the Kick-Off, and 29 that registered online, with a total of 88 registered block parties.

Chief Bishop reminded us about the Map Nimbus software, our Criminal Activity map, recently obtained and spoke of the features and how it benefits the Police Department.

Map Nimbus allows the Police Department to perform Address Search / Find Locations, accessibility anywhere, embedded links on the city / PD website, view incidents in a specific date range, graphical visualization and presentation and improved public awareness potentially leading to reduced crime and improved quality of life.

The public sector portion of Map Nimbus is available to our citizens now at LongviewPolice.com, go to interactive Crime Mapping and you will see some self – explanatory instructions for help.

B. Fire

The Promotional Ceremony for the Longview Fire Department was held on August 31, 2016, and the following officers were promoted:

Assistant Chief Hank Hester
Battalion Chief Brian Jones
Captain Mike Killingsworth
Captain Travis Pickle
Captain Samuel Turner
Lieutenant Mike Catron
Lieutenant Jeremie Gothard
Lieutenant Brandon Reeves
Driver Brian Adcock
Driver Rance Butler
Driver Jody Followwell
Driver Corey Haisten
Driver Jason Sutton

Chief Steelman mentioned the annual 9/11 Golf Tournament that the Fire and Police department had recently. He really appreciates the fellowship that he has with the PD and is grateful they are able to sit back and reflect on 9/11 and it's meaning to the local officers.

Lieutenant Bowen of the Police Department and Lieutenant Catcher of the Fire department organized the event.

Last but not least he reminded the community that if they have any tips or leads to acts of arson please contact the fire department at 903-237-1119. If you turn in an Arsonist you will receive an award.

VII. Consent Agenda

Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with ABC Auto Parts of Longview, Texas, Fleet Pride of Kilgore, Texas and O'Reilly Auto Parts of Springfield, Missouri for automotive parts and supplies for the Fleet Services Division –

Dwayne Archer, Assistant Public Works Director, was present and requested the Council to consider the approval of a Resolution adopting the annual agreement for automotive parts and supplies for the City of Longview Fleet Services Division. Automotive parts and supplies are provided on an "as needed" basis and must be delivered within two hours of receipt of the order. The bid and subsequent contract is divided into twelve sections and each section is awarded separately. The sections are:

1. Air Conditioning Parts
2. Heavy Brake Parts
3. Light Brake Parts
4. Ignition Parts
5. Vehicle Lighting Parts
6. Filters
7. Cooling Parts
8. Belts
9. Chemicals
10. Batteries
11. Wipers
12. Heavy Duty Lighting

Automotive parts and supply bids were advertised in the local newspaper as required by law and posted on City of Longview website. On July 13, 2016, seven bids were received and opened.

The bids were from:

Fleet Pride of Kilgore, Texas
Lonestar Truck Group of Tyler, Texas
Westway Ford of Irving, Texas
ABC Auto Parts of Longview, Texas
Pegues Hurst of Longview, Texas
O'Reilly Auto Parts of Springfield, Missouri
MHC Kenworth of Kansas City, Missouri

Westway Ford and Lonestar Truck Group were not able to have parts delivered within the 2 hour time frame. O'Reilly Auto Parts did not submit complete bid for Section 1 and 2. ABC Auto Parts did not submit a complete bid for Section 3.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LONGVIEW, TEXAS, ACCEPTING THE BIDS OF ABC
AUTO PARTS OF LONGVIEW, TEXAS, FLEET PRIDE OF**

KILGORE, TEXAS AND O'REILLY AUTO PARTS OF SPRINGFIELD, MISSOURI, FOR AUTOMOTIVE PARTS AND SUPPLIES; REJECTING THE BIDS OF O'REILLY AUTO PARTS OF SPRINGFIELD, MISSOURI, WESTWAY FORD OF IRVING, TEXAS AND LONESTAR TRUCK GROUP OF TYLER, TEXAS FOR CERTAIN AUTOMOTIVE PARTS AND SUPPLIES; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW, ABC AUTO PARTS, FLEET PRIDE AND O'REILLY AUTO PARTS OF SPRINGFIELD, MISSOURI FOR SAID AUTOMOTIVE PARTS AND SUPPLIES; AUTHORIZING THE RENEWAL OF SAID CONTRACTS AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS, PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID CONTRACT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID CONTRACT IN THE CONCURRENT BUDGET YEAR; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE COMPETITIVE PURCHASING REQUIREMENTS IN SOLICITING AND ACCEPTING SAID BIDS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5107 appears in the Resolution and Ordinance records of the City of Longview.

MOTION: Council Member Moore made a motion to approve the consent agenda.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

VIII. Budget Item

A. Consider an Ordinance adopting the 2016 tax rate and levying said rate –

Angela Coen, Director of Finance was present and requested the Council to consider the approval of an Ordinance adopting the tax rate that is being submitted for City Council approval. The tax rate is recommended to be set at \$0.5099 per \$100 valuation on all taxable property in the City of Longview, Texas.

MOTION: Council Member Williams made a motion the following Ordinance be approved:

AN ORDINANCE FIXING THE RATE AND LEVYING THE TAXES FOR THE YEAR 2016 IN AND FOR THE CITY OF LONGVIEW, TEXAS; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance No. 4072 and appears in the Resolution and Ordinance records of the City of Longview.

IX. Zoning – Public Hearing Items

- A. A PUBLIC HEARING will be held to consider application #PD16-09 filed by the City of Longview requesting to rezone approximately 38 acres of AB 258 P. P. Rains Survey Tract 11 Section 4 from Agriculture (A) to Planned Development - General Retail located on the northwest intersection of Eastman Road and Hawkins Parkway –**

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting:

APPLICATION #PD16-09

STAFF REPORT
September 8, 2016

APPLICANT: City of Longview
LOCATION: Approximately 38 acres of AB 258 P. P. Rains Survey Tract 11 Section 4
REQUEST: Rezone from Agriculture (A) to PD16-09 (Planned Development General Retail).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	Agriculture (A)	Hinsley Park
NORTH	General Retail (GR)	Vacant
SOUTH	Heavy Commercial (C-2)	Retail Strip Center
EAST	General Retail (GR)	Retail Stores/Restaurants
WEST	General Retail (GR)	Restaurant/Vacant

COUNCIL DISTRICT:
District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:
The Comprehensive Plan designates this area as Retail (RET).

STAFF COMMENTS:
The City of Longview is requesting to rezone approximately 38 acres of AB 258 P. P. Rains Survey Tract 11 Section 4 from Agriculture (A) to PD General Retail located on the northwest corner of Eastman Road and Hawkins Parkway (Hinsley Park).

The City held an election to allow citizens to vote to remove the “park” designation from Hinsley Park. The Citizens approved the removal of the “park” designation in November, 2015. To ensure proper development occurs on this site, the City of Longview is proposing to rezone this property to planned development.

The planned development site plan proposes a list of permitted General Retail uses (see addendum below) for this site. Due to discussion at the last meeting regarding uses, staff further refined the uses allowed within this PD.

The maximum square footage of the total building area will be 425,000 square feet with a single tenant maximum of 130,000 square feet. Building height shall not exceed two stories not to exceed 50 feet in height including unoccupied architectural elements such as parapets, and cornices.

The front building setback shall be 50 feet along Eastman Road; side setback of 25 feet along Hawkins Parkway and Fourth Street; and rear setback of 25 feet along the west property line. For the out parcels, the setbacks will be 50 feet in the front along

Eastman Road; 25 feet along Hawkins Parkway; 5 feet on the sides; and 10 feet on the rear.

Signage for the proposed development will be two pylon signs along Eastman Road to be shared by all of the tenants of the development. The two pylon signs will not exceed 40 feet in height, 400 square feet in size and will have a 15-foot minimum setback. One pylon sign will be allowed along Hawkins Parkway that will also be shared by all of the tenants. This pylon sign shall not exceed 35 feet in height, 300 square feet in size and will have a 15 foot minimum setback. Monument signs will be allowed for each out parcel and will not exceed 12 feet in height, 150 square feet in size and will have a 15-foot setback. If a monument sign is shared between two parcels, the height will not exceed 15 feet with a 225 square feet maximum in size and will have a 15 foot setback.

The development will have a greenbelt along Eastman Road that will be 30 feet wide at a minimum. This greenbelt will traverse the pipeline easement. After discussion with the City Engineer, Traffic Engineer and Director of Public Works, it was stated that if a full driveway was provided onto Hawkins Parkway, a center turn lane would be required. With the creation of center turn lane, no additional right of way would be required since they could fit the center turn lane within the existing right of way. However, a 20-foot greenbelt was provided along Hawkins Parkway. Five trees per 100 linear feet will be provided within the both greenbelts. One landscape island will be required for every 25 parking spaces. Landscape islands will be allowed to be grouped as long as there are no more than 40 parking spaces in a row without a landscape island. Each island will be at least 150 square feet in size. Every effort will be made for each parcel to have 10% landscaping however, the whole site will be 10% landscaped, at a minimum. The developer will meet all other city of Longview landscape requirements. Also, every effort will be made to save existing trees.

Within the greenbelt area, there will be an eight-foot wide pedestrian path that will connect to a pond on the site. The path will be constructed of a combination of decomposed crushed granite and concrete except along Hawkins Parkway where it will be concrete. The retention pond that will be provided will meet all of City of Longview codes, FEMA, and all other codes. A courtyard/patio area will be provided and will include public space, tables and landscaping.

For this development, the parking ratio will be one parking space per 225 square feet of gross floor area. There will be shared parking and access across this whole development. Within this development, a courtyard/patio area will be provided that is approximately 5,000 square feet in size that will provide public space to customers.

No temporary or permanent outdoor storage will be allowed within this development. Temporary outdoor display will be allowed but cannot exceed 20% of the total interior floor display area and must be located directly adjacent to the primary storefront. Also,

the temporary outdoor display will only be permitted during regular business hours. Items must be stored indoors at all other times.

Traditionally, planned developments are site plan specific however, to ensure that development occurs properly on this sensitive site; staff felt that a planned development was the most appropriate way to accomplish that. Staff has attempted to make these guidelines as flexible without compromising development standards within our community. As development occurs on this site, the developer will not be required to submit an amendment to the planned development as long as they meet the guidelines set forth in this planned development. Besides the guidelines within planned development, this development must meet all other applicable City of Longview codes.

Eastman Road is a principal arterial and Hawkins Parkway is a minor arterial which is appropriate for this type of development as long as access management is followed. Driveways on the site plan are only a graphical representation for the zoning case. Traffic signals, driveways and the locations of both will be determined by the Traffic Impact Analysis (TIA) approved by the City Engineer and TXDOT.

Staff finds the proposed zoning change is consistent with the Future Land Use Map and surrounding uses.

RECOMMENDATION:

Planning and Zoning Commission (9-0) and Staff recommend approval of this request.

The public hearing was declared open.

Sandi Araiza, 22 Tallwood Lane: Member of Community Advisory Board for Hinsley Crossing Project and created Livable Longview on Facebook. We ask that the developers preserve as much of the natural vegetation as possible.

Secondly, she asked that a third party Environmental Study be done and report be seen and approved by City Council before work progresses.

Thirdly they ask that the city requires the use of "Green" Infrastructure.

With that being stated she asked that the developers follow our Comprehensive Plan accordingly, since they aren't obliged to follow since it hasn't become an Ordinance yet.

The public hearing was declared closed.

MOTION: Council Member Wright made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, AS AMENDED, WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY, TO-WIT: THAT APPROXIMATELY 38 ACRES OF AB 258 P. P. RAINS SURVEY TRACT 11 SECTION 4 LOCATED ON THE NORTHWEST INTERSECTION OF EASTMAN ROAD AND HAWKINS PARKWAY BE REZONED FROM AGRICULTURE (A) TO PLANNED DEVELOPMENT – GENERAL RETAIL (PD16-09); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4073 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider application #S16-03 filed by William Tate requesting a Specific Use Permit (SUP) to allow for a**

restaurant with private club in General Retail (GR) Zoning District for Lot 1, Block 2, Bob's Place #2 located at 310 East Hawkins Parkway –

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting the

APPLICATION #S16-03

STAFF REPORT
September 8, 2016

APPLICANT: William Tate – Fuzzy’s Taco Shop
LOCATION: Lot 1, Block 2 Bob’s Place #2, located at 310 East Hawkins Parkway
REQUEST: Specific Use Permit (SUP) to allow for a restaurant with private club in General Retail (GR) zoning district.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	General Retail (Z12-11)	General Retail
NORTH	General Retail (GR)	Assisted Living/Nursing Home
SOUTH	Agriculture (A)	Vacant
WEST	General Retail (Z12-11)	Retail Business
EAST	General Retail (Z12-11)	Vacant

COUNCIL DISTRICT:
District 6 – Council Member Steve Pirtle

FUTURE LAND USE:
The Comprehensive Plan designates this area for Retail (RET).

STAFF COMMENTS:
The applicant is requesting a Specific Use Permit (SUP) for a restaurant with private club in General Retail (GR) zoning district. A Specific Use Permit is required for a private club allowing for onsite consumption of alcoholic beverages within GR zoning district to ensure no negative impact on surrounding properties.

The proposed restaurant is located in a general retail area and there is no adjacent residential. Staff finds the proposed SUP is consistent with the future land use map and surrounding land use.

Hawkins Parkway is a minor arterial, which is appropriate for this type of development as long as access management is followed.

STAFF RECOMMENDATION:

Planning and Zoning Commission (9-0) and Staff recommend approval of this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Williams made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, AS AMENDED, WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY TO-WIT: THAT A SPECIFIC USE PERMIT (SUP) IS HEREBY GRANTED FOR A RESTAURANT WITH PRIVATE CLUB IN GENERAL RETAIL (GR) ZONING DISTRICT FOR LOT 1 BLOCK 2, BOB'S PLACE #2 LOCATED AT 310 EAST HAWKINS PARKWAY; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Moore seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4074 and appears in the Resolution and Ordinance records of the City of Longview.

- C. A PUBLIC HEARING will be held to consider application #S16-04 filed by CEC Entertainment, Inc. requesting a Specific Use Permit (SUP) to allow for a restaurant with private club in Planned Development (PD03-08) for Lot 1, Block 1, Longview Mall Addition Unit 3 located at 312 West Loop 281 –

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of:

APPLICATION #S16-04:

STAFF REPORT
September 8, 2016

APPLICANT: CEC Entertainment, Inc.
LOCATION: Lot 1, Block 1 Longview Mall Addition, located at 312 W. Loop 281 Road.
REQUEST: Specific Use Permit (SUP) to allow for a restaurant with private club in General Retail (GR) zoning district.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	Planned Development (PD03-8)	Restaurant
NORTH	General Retail (GR)	Retail Stores
SOUTH	Planned Development (PD18)	Longview Mall
WEST	Planned Development (PD15-04)	Restaurant
EAST	Planned Development (PD05-01)	Vacant/Parking

COUNCIL DISTRICT:
District 6 – Council Member Steve Pirtle

FUTURE LAND USE:
The Comprehensive Plan designates this area for Retail (RET).

STAFF COMMENTS:
The applicant is requesting a Specific Use Permit (SUP) for a restaurant with private club in General Retail (GR) zoning district. A Specific Use Permit is required for a

private club allowing for onsite consumption of alcoholic beverages within GR zoning district to ensure no negative impact on surrounding properties.

The proposed restaurant is located in a general retail area and there is no adjacent residential. Staff finds the proposed SUP is consistent with the future land use map and surrounding land use.

Loop 281 is a principal arterial which is appropriate for these types of uses.

STAFF RECOMMENDATION:

Planning and Zoning Commission (9-0) and Staff recommend approval of this request.

The public hearing was declared open.

Laine Edwards, CEC Entertainment, 1707 Market Place Boulevard, Irving, Texas: Informed the public that currently they have 66 locations and that there are 55 that hold alcohol permits, the remaining few do not because of local ordinances.

She gave a brief history of Chuck E. Cheese and the years it has been successful in business without complications. If there were any questions she was happy to respond.

Magan Tyler, 200 Village Drive, 1-D: Is against the serving of alcohol at a child oriented restaurant and feels that there are other options if an adult chooses to drink it should be elsewhere.

Council Member Pirtle: Declared opposition in passing the permit because it is a children's entertainment place and feels it is inappropriate for various reasons.

Council Member Moore: Are they currently allowed to serve beer?

Angela Choy, City Planner: They are, but TABC will not permit it because their gaming exceeds their sales in food. Therefore they must apply for a Mixed Beverage Permit.

Ms. Choy addressed Mr. Pirtle's concerns and informed him of the option to place an expiration date on the permit provided.

Council Member Williams: Wanted clarification on whether it travels with the next owner.

Angela Choy, City Planner: Informed the council that each time there is a new owner or applicant they have to begin the process over again with TABC, but if Council would like they can place an expiration date on the SUP zoning area where it will expire each time.

Council Member Wright: Suggested placing a year expiration on it and revisiting at a later date.

Mayor Mack: We could also place expiration with the sale of the building.

Angela Choy, City Planner: Either option is available.

The public hearing was declared closed.

MOTION: Council Member Williams made a motion the following Ordinance be approved with the SUP's noted location and with the expiration date to expire at the time that the business moves.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, AS AMENDED, WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY TO-WIT: THAT A SPECIFIC USE PERMIT (SUP) IS HEREBY GRANTED FOR A RESTAURANT WITH PRIVATE CLUB IN PLANNED DEVELOPMENT-GENERAL RETAIL (PD03-08) FOR LOT 1 BLOCK 1, LONGVIEW MALL ADDITION UNIT 3 LOCATED AT 312 WEST LOOP 281; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Snoddy seconded the motion.

THOSE VOTING FOR: Council Member Moore
Council Member Snoddy
Council Member Williams
Mayor Mack

THOSE VOTING AGAINST: Council Member Wright
Council Member Pirtle

VOTE: The motion carried (4, 2).

Such Ordinance is No. 4075 and appears in the Resolution and Ordinance records of the City of Longview.

- D. A PUBLIC HEARING will be held to consider application #Z16-02 filed by Harold W. Stone requesting a rezone from Single Family (SF-4) to Heavy Commercial (C-2) for approximately 0.256 acres of AB 258 P. P. Rains Survey, Tract 16, Section 2 located on the west side of Judson Road and south of Pliler Precise Road –**

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting:

APPLICATION #Z16 - 02

STAFF REPORT

September 8, 2016

APPLICANT: Harold W. Stone
LOCATION: Approximately 0.256 acres of AB 258 P.P. Rains Survey Tract 16 Sec. 2 located on Judson Road north of Elm Creek Drive.
REQUEST: Rezone from Single Family (SF-4) to Heavy Commercial (C-2).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	SF-4	Vacant
NORTH	SF-4	Pool Business
SOUTH	SF-4/C-2	Retail/Stone Fabrication
WEST	GR	Pool Business
EAST	GR	Vacant

COUNCIL DISTRICT:

District 5 – Council Member David Wright

FUTURE LAND USE:

The Comprehensive Plan designates this area for Retail (RET).

STAFF COMMENTS:

The applicant is requesting a rezone from Single Family (SF-4) to Heavy Commercial (C-2). The applicant owns the property to the south and would like to expand their business onto this property. The property to the south is also zoned Heavy Commercial (C-2).

Judson Road is a Principle Arterial, which is appropriate for commercial type use as long as access management is followed.

Staff finds the proposed zoning change is consistent with the surrounding uses.

STAFF RECOMMENDATION:

Planning and Zoning Commission (9-0) and Staff recommend approval of this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Wright made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, AS AMENDED, WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY, TO-WIT: THAT APPROXIMATELY 0.256 ACRES OF AB 258 P. P. RAINS SURVEY TRACT 16 SECTION 2 LOCATED ON THE WEST SIDE OF JUDSON ROAD AND SOUTH OF PLILER PRECISE ROAD BE REZONED FROM SINGLE FAMILY (SF-4) TO HEAVY COMMERCIAL (C-2); FINDING THAT

THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Pirtle seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4076 and appears in the Resolution and Ordinance records of the City of Longview.

- E. A PUBLIC HEARING will be held to consider #M16-04 amending the City of Longview Future Land Use Map from Retail (RET) to Medium Density Residential (MDR) located at the northeast corner of H. G. Mosley Parkway and McCann Road –**

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting the:

APPLICATION #M16-04

STAFF REPORT
September 8, 2016

REQUEST: To amend the City of Longview Future Land Use Map from Retail (RET) to Medium Density Residential (MDR).

LOCATION: Property located at the northeast intersection of H. G. Mosley Parkway and McCann Road.

STAFF COMMENTS:

The Future Land Use Map is intended to serve as a guide in establishing appropriate mixes and intensities of land use throughout the city. It is not the intent of the Future Land Use Map to identify exact use on a parcel-by-parcel basis. Furthermore, it is not a zoning map; however, it does have a close relationship with the zoning map, in that it is used in part to determine the appropriateness of zoning requests. The Future Land Use Map must remain flexible, being changed and updated to meet both new policies and changes in development trends and patterns.

Upon the request of Council Member Pirtle, staff is requesting to reclassify the area at the northeast corner of H. G. Mosley Parkway and McCann Road from Retail (RET) to Medium Density Residential (MDR). As you can see on the Future Land Use Map, Medium Density Residential surrounds this property and therefore, it is appropriate to amend the map.

H. G. Mosley Parkway and McCann Road are minor arterial roadways as classified under the Highway Functional Classification System. Both roadways are appropriate for residential uses. Staff is recommending the future land use map be amended to ensure the consistency of future developments.

RECOMMENDATION:

Planning and Zoning Commission (9-0) and Staff recommend approval of this request.

The public hearing was declared open.

Diana Sherman, 2614 Park Place, Longview: Speaking on behalf of the North Central Residence United, as President. It is a Texas non-profit organization that was created to protect the integrity of their neighborhoods. Mrs. Sherman is opposed to the Wal-Mart venture and asked that their neighborhood not be rezoned to anything less than residential.

The public hearing was declared closed.

MOTION: Council Member Pirtle made a motion the following Ordinance be approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ADOPTING AN AMENDED FUTURE LAND USE MAP AS PART OF SAID CITY'S

COMPREHENSIVE PLAN; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING A SAVINGS CLAUSE; FINDING THAT THIS ORDINANCE WAS ADOPTED IN ACCORDANCE WITH CHAPTERS 211 AND 213 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4077 and appears in the Resolution and Ordinance records of the City of Longview.

X. Action Items

A. Consider a Resolution approving the Longview Economic Development Corporation 2016 - 2017 budget –

Wayne Mansfield, LEDCO President / CEO was present and requested the Council to consider the approval of a Resolution for the Longview Economic Development Corporation Budget.

LONGVIEW ECONOMIC DEVELOPMENT CORPORATION		
	FY 2015-2016 Budget	FY 2016-2017 Budget
REVENUE		
1 SALES TAX REVENUE	\$ 5,436,005	\$ 4,846,041
2 REVENUE FUND INTEREST	\$ 60,000	\$ 60,000
TOTAL REVENUES	\$ 5,496,005	\$ 4,906,041
REVENUE FUND ALLOCATIONS		
PROGRAMS/PROJECTS:		
3 INDUSTRY	\$ 103,050	\$ 157,903
4 RETAIL	\$ 81,150	\$ 34,550
5 TALENT	\$ 111,950	\$ 19,725
6 ENTREPRENEURSHIP	\$ 7,500	\$ 7,500
7 4B PROJECTS	\$ 780,000	\$ 650,000
SUBTOTAL	\$ 1,083,650	\$ 869,678
GENERAL & ADMINISTRATIVE:		
8 PERSONNEL/BENEFITS	\$ 647,200	\$ 646,653
9 OFFICE EXPENSES	\$ 154,900	\$ 117,438
10 INSURANCE	\$ 11,550	\$ 11,744
11 PROFESSIONAL SERVICES	\$ 67,000	\$ 95,335
SUBTOTAL	\$ 880,650	\$ 871,170
BUSINESS PARK:		
12 MAINTENANCE	\$ 164,000	\$ 81,909
13 GEORGE RICHEY EXTENSION	\$ 480,000	\$ 843,500
SUBTOTAL	\$ 644,000	\$ 925,409
DEBT SERVICE FUND ALLOCATIONS		
14 DEBT SERVICE BONDS	\$ 965,875	\$ 967,426
SUBTOTAL	\$ 965,875	\$ 967,426
CAPITAL FUND ALLOCATIONS		
15 REAL PROPERTY	\$ -	\$ 300,000
16 OFFICE FF&E	\$ 10,000	\$ 10,000
SUBTOTAL	\$ 10,000	\$ 310,000
TRANSFER TO ECONOMIC DEVELOPMENT INCENTIVES	\$ 1,911,830	\$ 962,358
TOTAL FUND ALLOCATIONS	\$ 5,496,005	\$ 4,906,041

LONGVIEW ECONOMIC DEVELOPMENT CORPORATION		
		FY 2016-2017
		Budget
3	INDUSTRY	
	Events/Sponsorships/Marketing	\$ 38,300
	Travel/Meetings	\$ 74,540
	Business Retention - Industry Focus	\$ 12,400
	Memberships/Subscriptions	\$ 32,663
	TOTAL	\$ 157,903
4	RETAIL	
	Market Research	\$ 25,000
	Travel/Meetings	\$ 9,000
	Memberships/Subscriptions	\$ 550
	TOTAL	\$ 34,550
5	TALENT	
	Workkeys	\$ 15,200
	Business Retention - HR Alliance	\$ 2,600
	Travel/Meetings	\$ 1,500
	Memberships/Subscriptions	\$ 425
	TOTAL	\$ 19,725
6	ENTREPRENEURSHIP	
	Kilgore College Small Business Development Center - Longview	\$ 7,500
	TOTAL	\$ 7,500
7	4B PROJECTS	
	Trail Project	\$ 350,000
	Transportation System Project	\$ 300,000
	TOTAL	\$ 650,000
11	PROFESSIONAL SERVICES	
	Accounting	\$ 62,189
	Legal	\$ 33,146
	TOTAL	\$ 95,335
12	MAINTENANCE	
	Maintenance	\$ 77,695
	Utilities	\$ 4,214
	TOTAL	\$ 81,909
	CAPITAL EXPENDITURES	
15	Real Property - Grading / Site Prep / Qualified Site Development	\$ 300,000
16	Office FF&E	\$ 10,000
	TOTAL	\$ 310,000

MOTION: Council Member Williams made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING THE BUDGET OF THE LONGVIEW ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR 2016-2017; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION PASSED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Moore seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 5018 and appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution adopting a Five - Year Capital Improvements Program (CIP) and allocating funds for the 2016 - 2017 Projects –

Alton Bradley, P.E., City Engineer was present and requested the Council to consider the approval of a Resolution adopting the CIP Five Year Capital Improvements Program.

MOTION: Council Member Moore made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING AND ADOPTING A FIVE YEAR CAPITAL IMPROVEMENTS PLAN FOR THE CITY OF LONGVIEW FOR FISCAL YEARS 2017-2021 AND ALLOCATING FUNDS FOR THE 2016-2017 FISCAL YEAR PROJECTS; PROVIDING FOR ANNUAL REVIEW AND POSSIBLE REVISION AND UPDATE OF SAID PLAN; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED

**COMPLIED WITH THE TEXAS OPEN MEETINGS ACT
AND DECLARING AN EFFECTIVE DATE.**

SECOND: Council Member Wright seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 5019 and appears in the Resolution and Ordinance records of the City of Longview.

XI. Items of Community Interest

Council Member Moore: Invited the community to a Historical Marker Workshop on Saturday, September 1, 2016, at 10:00 a.m., which will be held at the Development Services Building located at 410 South High Street. If you need more information you can call 903-237-1072.

Council Member Snoddy: Thanked everyone that attended her 2nd Annual CPR Celebration and all staff that assisted.

Council Member Williams: Addressed Ms. Araiza about her concerns and empathized with her about the sustainability of having "Green" Eco-Friendly structures.

Announced there will be a Neighborhood Sweep on the 13th and 14th in District 3. Mrs. Williams would like to encourage all neighborhoods that would like to participate to please join them at 9 a.m. on the southeast corner of Mobberly and Birdsong.

Mayor Mack asked for Council Member Ishihara to be excused.

MOTION: Council Woman Williams made a motion to excuse Council Member Ishihara.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Council Member Wright: Commended the Public Works department, which was doing work on Spring Hill Road last week, and thanked them for acknowledging the funeral procession in his district. The family contacted him and told them how impressed they were at how our city employees stopped what they were doing and held their position until it was over.

Council Member Pirtle: Thanked the Development Services Department for all that they have assisted him with in the last few weeks and really commended Mark Savasta, City Building Inspector for being proactive in resolving several issues with developers in Longview.

Mayor Mack: District 4 Town Meeting hosted by Kristen Ishihara will be Tuesday, September 13, 2016 at 6:00 p.m., Arabella of Longview, 1133 E. Hawkins Parkway.

Partners in Prevention will be hosting a New Mentor Training for the Forever Friends and Co-Pilots programs on September 23, 2016. If you are interested in becoming a mentor to a child, please call Cindy Graham at 903-237-1015 to learn more and register for the training session.

Downtown live is returning to Heritage Plaza this fall. After a very successful spring series, the One Hundred Acres of Heritage board is expanding the event to include several weeks in September and October.

The free concert series kicks off on tomorrow, September 9, 2016, with musician Levi Kitchen, September 16, 2016, with Dagnabbit and September 23, 2016, is the Cody Wayne Band.

XII. Mayor Mack's Book Club

The Shark and the Goldfish by Jon Gordon

Mayor Mack: Discussed his latest Chapter "Adversity". Mentioning a close friend of his that is confined to a wheel chair always reminds him how, "You must live life with gusto!" Life is what you make it and he hopes that when he stands before God that he would be able to say I used all the talent you gave me.

This book defines who you are and where you are in life. It is a very humbling story. How would you handle adversity in a last minute situation? In the blink of an eye how would you handle a life changing experience similar to being confined to a wheelchair?

Council Member Moore: Felt this community has been through some bad times with sales tax, the economy, unemployment but our community has not buried our head in the sand and they have been very proactive. I think it's a testament that we are not letting bad things keep us down.

Mayor Mack: Spoke of how he's very selective when he chooses the titles for the Book Club. I always try to pick something pertinent to our community and something they are able to grasp. We are jumping over the hurdles in Longview and we are continuing to go forth.

XIII. Adjourn

The meeting was adjourned at 7:13 p.m.

[seal]

Shelly Ballenger
City Secretary

