



MINUTES

Of A

REGULAR COUNCIL MEETING

October 13, 2016

The City Council of the City of Longview, Texas, met in a Regular Session, October 13, 2016, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Members absent were:

Andy Mack
Ed Moore
Nona Snoddy
Kasha Williams
Kristen Ishihara
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
Rolin McPhee, Director of Public Works
Laura Hill, Director of Community Services
Scott Caron, Director of Parks and Recreation
Mary Ann Miller, Director of Administration
J.P. Steelman, Fire Chief
Mike Bishop, Police Chief

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

II. Invocation – Dalton Autrey and Alex Mack, niece of Mayor Mack gave the invocation.

III. Pledge of Allegiance – Dalton Autrey and Alex Mack, niece of Mayor Mack led the pledge of allegiance.

IV. Employee Recognition

Mayor Mack: On September 13 and 14, 2016, employees from multiple departments along with Councilwoman Kasha Williams led a Revitalization Sweep of District 3 from Birdsong to Idlywood and from Mobberly to Twelfth Street.

During that time, they addressed many issues, including: junk vehicles, locations of junk and litter, overgrown vegetation, tires, bulky items, and trash. Fire hydrants were painted and the Fire and Police Department made contact with many residents providing information and assistance.

The effort included: Employees from Development Services, Public Works, Police, Fire, as well as Parks and Recreation. Would you please come forward: Vickey Allen, Jelani Williams, Gaylon Williams, Jimiae Franklin, Garry Johnson, Amanda Ellsworth, Jeremy Horton, Curtis Pipkins, Charles Johnson, Kenneth James, Eddie Pickard, Sabrina Graves, Kedarious Colbert, Marco Garrett, Jackie Richardson, Kendrick Montgomery, Misty Ryan, John Rolls, Chris Clayton, Jackie Hiles, Christopher Dotson, Jon Williams, Johnny Zachary, William Perry, Josh Flanagan, Michael Shirley, Scott Caron, Daniel Small, Mike Tomanio and Kasha Williams.

V. Citizen Comment

Joyce Williams, 508 Crystal Dr., Longview, Texas 75604, reminded citizens that the Boys and Girls Club of Gregg County offers a safe environment for children over 9.

They offer SAT and ACT prep support. The Club will be hosting a rally on October 20, 2016, at 5:00 p.m. at 600 W. Garfield.

VI. Presentation Items

A. Presentation of a proclamation designating October 14, 2016 as Fire Prevention Day in the City of Longview –

Dr. Andy Mack, Mayor: The Longview Fire Department has requested that I, by proclamation, recognize October 14, 2016 as Fire Prevention Day in the City of Longview.

Longview's first responders are dedicated to reducing the occurrence of home fires and injuries through prevention and protection education. This year's theme is "Don't Wait - Check the Date! Replace Smoke Alarms Every 10 years."

Therefore, I, Andy Mack, by the authority vested in me as Mayor of the City of Longview, Texas do hereby proclaim October 14, 2016 as Fire Prevention Day in Longview.

B. Presentation of a proclamation for Domestic Violence Awareness Day with Women's Center of East Texas –

Dr. Andy Mack, Mayor: The Women's Center of East Texas has requested that the Mayor, by proclamation, recognize October 20, 2016 as Domestic Violence Awareness Day in the City of Longview.

The crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse including abuse to children and the elderly.

Therefore, I, Andy Mack, by the authority vested in me as Mayor of the City of Longview, Texas do hereby proclaim October 20, 2016 as the Domestic Violence Awareness Day in Longview.

C. Presentation of a proclamation designating October 23 - 31, 2016, as Red Ribbon Week in the City of Longview –

Dr. Andy Mack, Mayor presented Partners in Prevention by proclamation, to recognize October 23 - 31, 2016, as Red Ribbon Week in the City of Longview.

Alcohol and other drug abuse in this nation has reached epidemic stages and it is imperative that visible, unified prevention education efforts by the Coalition for Drug Free Youth and other community members be launched to eliminate the demand for drugs.

Therefore, I, Andy Mack, by the authority vested in me as Mayor of the City of Longview, Texas do hereby proclaim October 23-31, 2016, as Red Ribbon Week in Longview.

VII. Public Safety Update

A. Police

Chief Bishop: Gave the Crime Analysis for week of September 1 – 30, 2016 as follows:

<u>TOTAL CALLS:</u>	<u>10,559</u>
Dispatched:	5,229
Officer Initiated:	5,330
<u>PERSONS ARRESTED</u>	<u>181</u>
Felony Arrests:	22
Total Charges:	28
Misdemeanor Arrests:	170
Total Charges:	318

Chief Bishop discussed how successful the 2016 National Night Out was with an 18% increase from last year's participants. There were a total of 127 registered parties.

The 2016 Best Crime Watch recipient was Marguerite Drive with Jack and Brenda Lanier heading it.

Last week PD commissioned two new recruits, Sheila Williams and Shawn Isabell.

Our current staffing numbers are 162 officers and there will be 10 additional officers hired on October 17, 2016, which will bring us to having a fully staffed department at 172 officers.

Chief Bishop wanted to remind the citizens to be alert, aware and safe for Halloween and let's make it a safe holiday for the children.

Final reminders were to check out the Nimbus Interactive Crime Map on our City website and contact Gregg County Crime Stoppers at 903-236-STOP, www.greggcountycrimestoppers.org, if you have any tips that could help keep our city safe.

B. Fire

Chief Steelman: Legacy Longview Leadership group came by to receive some personal training and education on what the Fire department task are when dealing with a fire emergency. They enjoyed the opportunity to fellowship with some of the community leaders.

The Texas Fire Chief's Academy Class of 2016 had three recent graduates and Chief Steelman wanted to publicly congratulate Battalion Chief, Will Edwards; Battalion Chief, Steve Green; and Battalion Chief, Roger Groves.

Touched basis on the repairs at Fire Station # 5: The roof repairs, and interior remediation have been completed. The final phases of exterior modifications and interior restorations are still in progress and being researched.

Last but not least, open enrollment is currently underway. \$70 a year covers all qualified residents of a Longview household.

VIII. Consent Agenda

- A. Consider a Resolution awarding contracts to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with RDA Vegetation Management of Gilmer, Texas, for Group 1 and C&C Logging and Tree Service of Longview, Texas, for Group 2 of the City's invitation to bid for mowing services for City maintained residential lots, detention**

ponds and floodplain areas for City of Longview Drainage Department –

Rolin McPhee, Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the any necessary documents with RDA Vegetation Management of Gilmer, Texas, for Group 1 and C&C Logging and Tree Service of Longview, Texas, for Group 2 of the City's invitation to bid for mowing services for City maintained residential lots, detention ponds and floodplain areas for City of Longview Drainage Department.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF RDA VEGETATION MANAGEMENT OF GILMER, TEXAS, FOR GROUP 1 AND THE BID OF C&C LOGGING AND TREE SERVICE OF LONGVIEW, TEXAS, FOR GROUP 2 OF THE CITY'S INVITATION TO BID FOR MOWING SERVICES FOR CITY-MAINTAINED RESIDENTIAL LOTS, DETENTION PONDS AND FLOODPLAIN AREAS; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY CONTRACTS AND OTHER DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND SAID BIDDERS FOR SAID MOWING SERVICES; 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 CONTRACTS FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID SERVICES 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. 5121 appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution accepting the 2014 Water Improvements and authorizing final payment in the amount of \$31,647.87 to W M Miller Construction Co., Inc. of Longview, Texas –

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the 2014 Water Improvements and authorizing final payment in the amount of \$31,647.87 to W M Miller Construction Co., Inc. of Longview, Texas.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "2014 WATER SYSTEM IMPROVEMENTS"; AUTHORIZING AND APPROVING FINAL PAYMENT TO W.M. MILLER CONSTRUCTION COMPANY, INC., OF LONGVIEW, TEXAS, FOR COMPLETION OF SAID PROJECT; FINDING AND 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. 5122 appears in the Resolution and Ordinance records of the City of Longview.

C. Consider a Resolution accepting the 2016 Chip Seal project and authorizing final payment in the amount of \$42,707.73 to CDM Holdings, LLC. of New Boston, Texas –

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting and accepting the 2016 Chip Seal project and authorizing final payment in the amount of \$42,707.73 to CDM Holdings, LLC. of New Boston, Texas.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "2016 CHIP SEAL"; AUTHORIZING AND APPROVING FINAL PAYMENT TO CDM HOLDINGS, LLC., OF NEW BOSTON, TEXAS, FOR COMPLETION OF SAID PROJECT; FINDING AND 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. 5123 appears in the Resolution and Ordinance records of the City of Longview.

- D. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute any necessary documents for the purchase of three dump trucks via the City's purchasing agreement with the local government purchasing cooperative administered by the Texas Association of School Boards ("TASB Buyboard") for an amount not to exceed \$319,234.90 –**

Dwayne Archer, Assistant Public Works Director was present and requested the Council to consider the approval of a Resolution adopting and authorizing and directing the City Manager or the City Manager's designee to negotiate and execute any necessary documents for the purchase of three dump trucks via the City's purchasing agreement with the local government purchasing cooperative administered by the Texas Association of School Boards ("TASB Buyboard") for an amount not to exceed \$319,234.90.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF THREE DUMP TRUCKS VIA THE CITY'S PURCHASING AGREEMENT WITH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE

ADMINISTERED BY THE TEXAS ASSOCIATION OF SCHOOL BOARDS (“TASB BUYBOARD”); AUTHORIZING THE CITY MANAGER, OR THE CITY MANAGER’S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY FOR SAID PURCHASE; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING AND 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. 5124 appears in the Resolution and Ordinance records of the City of Longview.

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

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (7, 0).

IX. Zoning – Public Hearing Items

- A. A PUBLIC HEARING will be held to consider application #PD16-10 filed by Bret Read requesting to rezone approximately 0.899 acres of the David Ferguson Survey Abstract - 71, Tract 64, Section 1 and a portion of Lot 1, Block 4151 of Royal Forest Estates #1 from PD-1 General Retail to Planned Development General Retail for a restaurant with a private club and drive-thru window located on Reel Road west of Gilmer Road and east of Kingston Drive –**

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

Application #PD16-10

STAFF REPORT
October 13, 2016

APPLICANT: Bret Reed

LOCATION: North side of Reel Road, East of Kingston, South of Regal Oaks Drive and West of Gilmer Road.

REQUEST: Request to rezone Planned Development General Retail (PD-1) to Planned Development General Retail (PD16-10 for restaurant with private club and drive thru window).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	PD-1 (GR)	Vacant
NORTH	PD-1 (GR)	Restaurant
SOUTH	GENERAL RETAIL	Retail Space
EAST	PD-1 (GR)	Auto Parts Sales
WEST	PD-1 (GR)	Retail Space

COUNCIL DISTRICT:
District 1 – Council Member Ed Moore

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

STAFF COMMENTS:
The applicant is requesting to rezone from Planned Development (PD-1 General Retail) to Planned Development (PD-10 General Retail for restaurant with a private club and drive thru window) to allow for the construction of a restaurant located on Reel Road, west of Gilmer Road and east of Kingston Drive.

The proposed planned development site plan contains a one story 2,332 square foot building with 29 parking spaces, meeting all qualifications of federal, state, and local law and regulations. The parking requirement for a restaurant with a private club is one parking space per three persons based on the maximum occupancy, which is assigned by the Building Official. Two access points have been provided off Reel Road and one onto Regal Oaks Drive. The restaurant will have a monument sign, which shall comply with the City's Sign Ordinance and restrictions regarding size, location, and height. The proposed landscaping will meet ordinance requirements. Through the development process, this project will be required to meet all other City of Longview requirements.

After analysis of the site, it was determined by our GIS department that the property exceeded the 300 foot distance requirement from door to door to the closest church that is located on Reel Road.

Reel Road is a collector, which is appropriate for this type of development as long as access management is followed. Access management is essential to avoid traffic congestion and delays caused by turning movements for vehicles entering and exiting driveways. Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses.

RECOMMENDATION:

Planning and Zoning Commission (8-1) and Staff recommend approval of this request.

The public hearing was declared open.

Council Member Moore: Wanted clarification on the 51% food sales requirement for the restaurant applying and wanted to speak with the applicant.

Angela Choy, City Planner: Verified that the percentage rate was accurate and true.

Council Member Moore: Congratulated Mrs. Daniel on her entrepreneurship in Longview and was concerned about the hours of their bar located in their restaurant.

Helen Daniel, 3909 Chase Crest Circle, Longview: Mrs. Daniels assured Council Member Moore there wouldn't be any conflict on their behalf. If they would like them to cut back the time of the bar to be compatible with neighboring residence they would comply without difficulties.

The public hearing was declared closed.

MOTION: Council Member Moore 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 0.899 ACRES OF THE AB 71 DAVID FERGUSON SURVEY TRACT 64 SECTION 1 AND A PORTION OF LOT 1 BLOCK 4151 OF ROYAL FOREST

ESTATES #1 LOCATED ON REEL ROAD, WEST OF GILMER ROAD AND EAST OF KINGSTON DRIVE, BE REZONED FROM PD-1 GENERAL RETAIL TO PLANNED DEVELOPMENT GENERAL RETAIL (PD16-10) FOR A RESTAURANT WITH A PRIVATE CLUB AND DRIVE THRU WINDOW, AS SET FORTH IN EXHIBIT A BEING HERETO ATTACHED AND MADE A PART HEREOF FOR ALL PURPOSES; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETING 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.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4080 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider application #PD16-12 filed by Maxey Properties Gilmer Rd., LLC requesting to rezone approximately 1.362 acres of Abstract 177 WM Robinson Survey Tract 29-03 Section 3 from Planned Development-General Retail (PD15-10) to Planned Development-General Retail for two restaurants with drive-thru windows located on the southeast corner of Gilmer Road and Hawkins Parkway –**

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

Application #PD16-12

STAFF REPORT
October 13, 2016

APPLICANT: Maxey Properties Gilmer Rd., LLC

LOCATION: Southeast corner of Gilmer Road and Hawkins Parkway.

REQUEST: Request to rezone Planned Development General Retail (PD15-10) to Planned Development General Retail (PD16-12 for two restaurants with drive thru windows).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	PD15-10 (GR)	Vacant
NORTH	PD-GR	Gasoline Station & Convenience Store
SOUTH	PD07-04 & PD-GR	Grocery Store & Gasoline Station
EAST	PD07-04	Grocery Store
WEST	GR & C-1	Gasoline Station, Convenience Store, Cell Tower & Self Storage

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 to rezone from Planned Development General Retail (PD15-10) to Planned Development General Retail for two (2) restaurants with drive thru windows located on the southeast corner of Gilmer Road and Hawkins Parkway.

The proposed planned development site plan contains two (2) one story restaurants with drive thru windows, one being 3,740 square feet and the other being 1,100 square feet in size. The site contains 40 parking spaces, with 11 reserved to persons with disabilities. The parking requirement for a restaurant is one parking space per three persons based on the maximum occupancy, which is assigned by the Building Official. The site will have one pole sign with a maximum size of 200 square feet, maximum height of thirty-five (35) feet, and minimum setback of ten feet. The proposed landscaping will meet ordinance requirements. Through the development process, this project will be required to meet all other City of Longview requirements.

Hawkins Parkway is a minor arterial and Gilmer Road is a principal arterial. Both roadways are appropriate for this type of development as long as access management is followed. This site will not have any additional driveways onto Gilmer Road and will utilize existing driveways on site.

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.

Mayor Mack: Moved to inform public there is no conflict of interest pertaining to this matter and he will abstain from the vote.

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 1.362 ACRES OF AB 177 WM ROBINSON SURVEY TRACT 29-03 SECTION 3, LOCATED ON THE SOUTHEAST CORNER OF GILMER ROAD AND HAWKINS PARKWAY BE REZONED FROM PLANNED DEVELOPMENT GENERAL RETAIL (PD15-10) TO PLANNED DEVELOPMENT GENERAL RETAIL (PD16-12) FOR TWO RESTAURANTS WITH DRIVE THRU WINDOWS, AS SET FORTH IN EXHIBIT A BEING HERETO ATTACHED AND MADE A PART HEREOF FOR ALL PURPOSES; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETING 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 (6, 0,1).

Mayor Mack abstained.

Such Ordinance is No. 4081 and appears in the Resolution and Ordinance records of the City of Longview.

- C. A PUBLIC HEARING will be held to consider application #Z16-03 filed by Howard Parker requesting to rezone approximately 0.67 acres of Abstract 256 M Mann Survey, Tract 66, Section 3 from Agriculture (A) to Heavy Commercial (C-2) located on the southwest side of Del Roy Street and east of S. US Highway 31 –**

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

Application # Z16-03

STAFF REPORT
October 13, 2016

APPLICANT: Howard Parker

LOCATION: Approximately 0.67 acres of AB 256 M Mann Survey, Tract 66, Section 3 located on the southwest side of Del Roy Street and east of S. US Highway 31.

REQUEST: Rezone from Agriculture (A) to Heavy Commercial (C-2).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	A	Residential
NORTH	C-2	Business
SOUTH	A	Residential
WEST	A	Lake/ Residential (Outside of City Limits)
EAST	A	Car Lot/ Vacant Land

COUNCIL DISTRICT:

District 2 – Council Member Nona Snoddy

FUTURE LAND USE:

The Comprehensive Plan designates this area for Commercial (COM).

STAFF COMMENTS:

The applicant is requesting a rezone from Agriculture (A) to Heavy Commercial (C-2). The applicant would like to expand their business onto this property. The property to the North is zoned Heavy Commercial (C-2), having been rezoned in 2015.

The subject property was annexed in 2009. When annexation occurs, the property that is annexed is automatically assigned an Agricultural (A) zoning designation and therefore needs to be rezoned.

Staff finds the proposed zoning change is consistent with the future land use map and 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 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 APPROXIMATELY 0.67 ACRES OF AB 256 M MANN SURVEY TRACT 66 SECTION 3 LOCATED ON THE SOUTHWEST SIDE OF DEL ROY STREET AND EAST OF S. US HIGHWAY 31 BE REZONED FROM AGRICULTURE (A) 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 (7, 0).

Such Ordinance is No. 4082 and appears in the Resolution and Ordinance records of the City of Longview.

X. Items of Community Interest

Council Member Moore: Spoke of the new glass recycling bins located throughout the city and wanted the community to be aware of their locations: Broughton Recreation Center, the COL Compost Site, Gregg County Courthouse, Hardin's Hardware, Hometown Hardware, Lowe's, Fire Station #2 and Stamper Park Resource Center.

This is handled by community volunteers that go by the name of the Safe Inviting Green Neighborhood Initiative. I would like to thank them for their “Go-Giver” attitude towards our city.

Branden Johnson, Vik Verma, Jim Koeger, Randy Beamon, Marilyn Mitchell, Tammy Cromer, Dan Welch, Sky Mitchell, and Huey Mitchell.

The goal of the group was that eventually this program would out grow them and the City would take over and it officially has. In the end I hope we have at least 10 collection areas total. There will be someone who will service these containers every Friday. So thank you for your efforts and job well done.

Council Member Snoddy: Congratulated Officer Johnnie Lyons on his 25 years of service and thanked him for all that he does at the schools as well as in the community.

Council Member Williams: Spoke of Ms. Cheteva Marshall, Longview Housing Manager and commended her for hosting a departmental National Night Out.

Additionally, she mentioned of her return recently from the Texas Municipal League Conference in Austin. There were several things that peaked her interest and made her happy to know that Longview was definitely in line with going towards that goal.

Council Member Ishihara: Invited the community to the Howl -o- ween Canine Carnival on October 15, 2016, from 4:00 to 6:00 p.m. at First Bank and Trust Parking Lot on 2395 H.G. Mosley Parkway.

The Junior League of Longview will be hosting its annual Poverty Conference on Thursday, October 10, 2016, at the Belcher Center from 8:30 a.m. until 3:00 p.m.

Trick or Treat and Costume Contest at the Longview Animal Shelter on Saturday, October 29, 2016 from 2:00 p.m. to 4:00 p.m., 300 H.G. Mosley Parkway. 903-297-7387, www.Longviewtexas.gov/Animals.

Council Member Wright was excited about the new restaurants coming to the area. He invited the community to the District 5 Town Meeting that will be held at the Judson Middle School, 5745 Judson Road on Tuesday, October 25, 2016 at 7:00 p.m.

Mayor Mack: Every October, the Longview Public Library is transformed into the “Haunted Library”. The free community event is on October 21 – 22, 2016. Volunteers are needed to help with all facets of the event. Please contact the library for more information.

Downtown live continues through the end of October at Heritage Plaza. The free concert series features, Noonday on October 14, and Cole Allen on October 28.

A ribbon cutting will be held on Monday, October 17 at 10:30 a.m. to officially open George Richey Road from McCann Road to Highway 259. The public is welcome to attend the event. Parking is available on Mickey Melton Boulevard within the North Business Park.

Adjourn

The meeting was adjourned at 6:21 p.m.

[seal]

Shelly Ballenger
City Secretary

