CITY OF TEXARKANA

CITY COUNCIL

AGENDA ● JANUARY 28, 2019

Council Chambers | **Regular Meeting** | **6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1	Ward 3	Ward 5
Jean H. Matlock	Betty Williams	Bill Harp
Ward 2	**Ward 4**	**Ward 6**
Mary Hart	Christie Alcorn	Josh Davis

The City Council reserves the right to convene into closed session on any agenda item or issue should the need arise and if applicable pursuant to authorization by the Texas Open Meetings Act (Title 5, Chapter 551 of the Texas Government Code).

If the City Council convenes into closed session, they will reconvene in one hour or less to take any final action, decision, or vote on a matter deliberated in closed session.

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER BILL HARP

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, February 11, 2019 at 6:00 p.m.
Monday, February 25, 2019 at 6:00 p.m.
Monday, March 11, 2019 at 6:00 p.m.
Monday, March 25, 2019 at 6:00 p.m.

Parks & Recreation Events:

No events are scheduled.

Additional Parks & Recreation events can be found on the city's website at http://www.ci.texarkana.tx.us or call (903) 798-3978 for more information.

Special Proclamation Presentation

Justice on the Line Proclamation - January 30 & 31, 2019

Appointments to Boards & Commissions

IV. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 14, 2019 at 6:00 PM.

2. Resolution No. 2019-009 authorizing the City Manager to enter into a professional services design contract with MTG Engineers and Surveyors Inc. for the Gibson Lane Extension Project for an amount not to exceed $485,982.40 using Tax Increment Reinvestment Zone #1 (TIRZ) funds.

   Public Hearing:
   Council Vote: January 28, 2019

3. Ordinance No. 2019-010 amending the Major Maintenance Fund (Fund 120) budget for fiscal year 2019 and adding the amount of ONE HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED SEVENTY DOLLARS AND THIRTY-ONE CENTS ($165,370.31) for unspent funds from the prior fiscal year.

   Public Hearing:
   Council Vote: January 28, 2019

4. Ordinance No. 2019-011 amending the Building Maintenance Fund (Fund 228) budget for fiscal year 2019 and adding the amount of EIGHT THOUSAND FORTY-SEVEN DOLLARS AND FORTY-TWO CENTS ($8,047.42) for revenue received in fiscal year 2019.

   Public Hearing:
   Council Vote: January 28, 2019

Open Forum: Comments from the public (Limit 5 minutes each)

Per Council rules adopted April 9, 2018, agenda items scheduled for a public hearing or which have already had a public hearing are not to be addressed at the "Open Forum".

Action Items

V. FIRST BRIEFINGS

1. Ordinance No. 2019-004 rezoning a 0.424 acre tract of land in the George Brinlee HRS, A-18, located at 5812 McKnight Road. Single Family-1 to Office. Derek Ballard, applicant.

   Public Hearing: February 11, 2019
   Council Vote: February 11, 2019

2. Ordinance No. 2019-005 granting a Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS) on an existing billboard on a 0.108 acre tract of land in the Adolphus Hope HRS, A-261, located at 3408 St Michael Drive. Jorge Cereijo, applicant. Chad Shipp, Shipp Outdoor, LLC, agent.

   Public Hearing: February 11, 2019
   Council Vote: February 11, 2019

3. Ordinance No. 2019-006 granting a Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS) on the east side of an existing billboard on a 0.083 acre tract of land in the George Brinlee HRS, A-18, located at 6241 St. Michael Drive. Don Babin, applicant. Chad Shipp, Shipp Outdoor, LLC, agent.

   Public Hearing: February 11, 2019
   Council Vote: February 11, 2019

4. Ordinance No. 2019-007 granting a Specific Use Permit to allow a tattoo studio on a 0.31 acre tract of land in the Howard Ethridge HRS, A-182, located at 1423 New Boston Road. David Jones, dba Canasota Dreams, LLC, applicant.

   Public Hearing: February 11, 2019
   Council Vote: February 11, 2019

5. Ordinance No. 2019-008 amending PD-17-2(O) for site plan approval on a 1.04 acre tract of land in the George Brinlee HRS, A-18, located at 4009 Moores Lane. Mark Looney, applicant. Mark James, agent.

   Public Hearing: February 11, 2019
   Council Vote: February 11, 2019

VI. PUBLIC HEARINGS

1. Ordinance No. 2019-001 amending Chapter 140, "Zoning", Section 140-111, "UPDD University Planned Development District" of the Land Development Code.

   Public Hearing: January 28, 2019
   Council Vote: January 28, 2019

VII. ITEMS FOR DISCUSSION

Staff Updates

VIII. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

IX. CLOSED SESSION

The City Council will convene into closed session pursuant to Texas Government Code 551.071 - Consultation with the City Attorney.

X. RECONVENE INTO OPEN SESSION

XI. ADJOURNMENT

Jennifer Evans
City Secretary

This open meeting of a governmental entity is subject to the Texas Open Meetings Act (Chapter 551, Government Code). The "Council Chambers" is the room or property where the City Council will hold this meeting.

Pursuant to Section 46.035(c), Penal Code (unlawful carrying of handgun by license holder), a license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for these services, please call 903.798.3917, Personnel or (TDD) 1.800.RELAY.TX (1.800.735.2989).

Version:

Briefing Sheet

Update Date: 1/22/2019 3:30 PM

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary

Subject: Justice on the Line Proclamation - January 30 & 31, 2019

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Texarkana USA is privileged to host the administration of justice from the State of Arkansas and the State of Texas during the last two days of January 2019.

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

For Mayor to proclaim January 30 & 31, 2019 as "Justice on the Line" days in Texarkana, USA.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. Justice on the Line Proclamation 013019 (PDF)

A Joint Proclamation

Texarkana, Texas and Texarkana, Arkansas

WHEREAS, the Supreme Court of Arkansas will be convening on the campus of Arkansas High School for court proceedings on January 30, 2019, and the Supreme Court of Texas will be convening on the campus of Texas High School for court proceedings on January 31, 2019; and

WHEREAS, our cities are privileged to host those entrusted with the administration of justice in both states; and

WHEREAS, the justices of both courts intend to assemble on the state line on the afternoon of January 30 for a photo opportunity, and the public is invited to witness this historic assembly.

NOW, THEREFORE, we, Bob Bruggeman, Mayor of Texarkana, Texas, and Allen Brown, Mayor of Texarkana, Arkansas, welcome the Supreme Court of Arkansas and the Supreme Court of Texas to Texarkana, USA, and hereby proclaim these historic proceedings on January 30 and 31, 2019, as

"Justice on the Line"

Bob Bruggeman, Mayor
City of Texarkana, Texas

Attest:

Jennifer Evans, City Secretary
City of Texarkana, Texas

Allen Brown, Mayor
City of Texarkana, Arkansas

Attest:

Heather Soyars, City Clerk,
City of Texarkana, Arkansas

Attachment: Justice on the Line Proclamation 013019 (2012 : Justice on the Line Proclamation - 01/30&31/19)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • JANUARY 14, 2019

Council Chambers | **Regular Meeting** | **6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

ee Name	Title	Status	Arrived
ggeman	Mayor	Present	
Matlock	Ward 1	Present	
art	Ward 2	Present	
illiams	Ward 3	Present	
Alcorn	Ward 4	Present	
p	Ward 5	Present	
vis	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Kyle Dooley, Kristin Peeples, Dusty Henslee, Robby Robertson, Jim Powell, Mashell Daniel, Joe Bunting, Eric Schlotter, David Orr, Shawn Fitzgerald, Matthew Cashatt, Kevin Schutte, Karey Parker, Erin Rogers, Jennifer Strayhorn, Thedford White, Sherry Jackson Hawkins, Jeanne Munger, Scott Eudy, Jonathan Price, Aaron Lewis, Dustin Johnson, and Lisa Thompson.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JEAN MATLOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, January 28, 2019 at 6:00 p.m.
Monday, February 11, 2019 at 6:00 p.m.
Monday, February 25, 2019 at 6:oo p.m.

Parks & Recreation Events:

No events are scheduled.

Minutes Acceptance: Minutes of Jan 14, 2019 6:00 PM (Consent Items)

Additional Parks & Recreation events can be found on the city's website at <http://www.ci.texarkana.tx.us> or call (903) 798-3978 for more information.

Mayor Bruggeman said he hoped everyone had a great holiday season. Several events have been scheduled for the Martin Luther King, Jr. celebration weekend as follows:

Date	Event	Location	Time
Friday, January 18th	18th Annual African American Voice: Evening of Performance	Texarkana Regional Arts Center (downtown), 321 W. 4th Street Texarkana, Texas	6:30 p.m.
Saturday, January 19th	Prayer Breakfast (Adults $8/Children $5)	Lonoke Baptist Church 1841 Lonoke Ave Texarkana, Arkansas	7:00-9:00 a.m.
Sunday, January 20th	15th Annual Act of Kindness Presentation (Tickets $60)	Twin City Event & Convention Center, 2101 Texas Blvd Texarkana, Texas	7:00 p.m.
Monday, January 21st	MLK Downtown Parade	East Broad & Front Streets Texarkana, Arkansas	11:30 a.m.
Monday, January 21st	MLK Memorial Holiday Program	Dunbar Elementary School 2315 W. 10th Street Texarkana, Texas	1:00 p.m.

Special Presentation - Retirement Recognition

Mayor Bruggeman presented Burns Barr, Sr. with a plaque from the city wishing him the very best in his retirement from KLFI TV. Mr. Barr, Sr. has given a total of 25 years of service.

He has been instrumental in videotaping city council meetings over the years which has allowed citizens, who are not able to attend council meetings, to stay informed about city business.

Mr. Barr, Sr. thanked the city for the recognition and the opportunity to serve its citizens.

Appointments to Boards & Commissions

Mayor Bruggeman informed the council that the Housing Authority Board restructured the term limits of its members. At this meeting, Mayor Bruggeman called for a council vote to confirm his reappointment of Linda Nolan, Mae Hamilton, and Bruce Powers as each member will have a new term ending date of December 31, 2020.

1. Motion to confirm Housing Authority Board mayoral reappointments with new term ending dates.

   (6:10 p.m.)

Minutes Acceptance: Minutes of Jan 14, 2019 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

IV. ITEMS FOR CONSIDERATION

Consent Items

(6:12 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Christie Alcorn, Ward 4
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on December 10, 2018 at 6:00 PM.

2. Ordinance No. 2019-002 amending the Building Maintenance Fund (Fund 228) budget for fiscal year 2019 and adding the amount of FORTY-THREE THOUSAND EIGHT HUNDRED EIGHTY-SIX DOLLARS AND SEVENTY-SEVEN CENTS ($43,886.77).

   Public Hearing:
   Council Vote: January 14, 2019

Open Forum: Comments from the public (Limit 5 minutes each)

Ms. Phipps addressed council regarding the Randy Sams' Outreach Shelter and the homeless and mentally ill populations in Texarkana.

Mitzie Stewart addressed council regarding the Randy Sams' Outreach Shelter and the homeless population in Texarkana.

Demarucus Paxton addressed council regarding the benefits of providing minimal assistance to the homeless population in the community.

Action Items

3. Ordinance No. 2019-003 confirming the appointment of Kevin Schutte as the Police Chief for the Texarkana, Texas Police Department.

Minutes Acceptance: Minutes of Jan 14, 2019 6:00 PM (Consent Items)

Public Hearing:
Council Vote: January 14, 2019

Mayor Bruggeman shared highlights of the law enforcement history experienced by Kevin Schutte. City Manager Jaster said that Kevin Schutte is the right choice for the community going forward and asked for council support. Council Member Davis expressed his confidence in Kevin Schutte as the choice for the Police Chief.

Kevin Schutte said he was grateful for the consideration and thanked the City Manager for her choice. Mr. Schutte said he was very proud of the progress of the city and the police department. He said he was excited to lead such a great organization.

The Mayor also recognized the support of the Texarkana, Texas police officers who attended, the Schutte family, and the presence of Texarkana, Arkansas' Police Chief Bob Harrison and TAPD Captain Doug Avery.

(6:43 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

V. FIRST BRIEFINGS

1. Ordinance No. 2019-001 amending Chapter 140, "Zoning", Section 140-111, "UPDD University Planned Development District" of the Land Development Code.

   Public Hearing: January 28, 2019
   Council Vote: January 28, 2019

   David Orr briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/28/2019 6:00 PM**

VI. PUBLIC HEARINGS - NONE

VII. ITEMS FOR DISCUSSION

Staff Updates - None

Minutes Acceptance: Minutes of Jan 14, 2019 6:00 PM (Consent Items)

VIII. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no comments for staff.

2. City Staff

   Staff had no comments for council.

IX. ADJOURNMENT

A motion was made to adjourn the meeting.
6:47 p.m.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

Minutes Acceptance: Minutes of Jan 14, 2019 6:00 PM (Consent Items)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 1/22/2019 2:54 PM

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager

Subject: Resolution No. 2019-009 authorizing the City Manager to enter into a professional services design contract with MTG Engineers and Surveyors Inc. for the Gibson Lane Extension Project for an amount not to exceed $485,982.40 using Tax Increment Reinvestment Zone #1 (TIRZ) funds.

Briefing: 1/28/2019 **Public Hearing:** **Council Vote:** 1/28/2019

Item Schedule

Schedule 2: Brief once - vote once (two weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Request for Qualifications was published on the City website September 28, 2018 and Texarkana Gazette September 30, 2018 and October 7, 2018.
Responses were opened on October 18, 2018.
Respondents were MTG Engineers of Texarkana, Texas, Halff Associates of Shreveport, LA, Wier and Associates of Arlington, Texas, Spears Engineering of Texarkana, Arkansas and A.L. Franks Engineering of Texarkana, Arkansas.
A panel of four were selected to review and score the qualifications of the respondents.
MTG Engineers scored the highest average score of all the respondents.
There are no policy exceptions.
Funds are available through the Tax Increment Reinvestment Zone #1 Fund.
The Scope of Work: Provide all basis of qualifications and competence for the general engineering, consulting, research, and reporting services related to support of the City's street construction of Gibson Lane Extension from University Avenue to Pleasant Grove Road.

Potential Options:

- To approve the selection of MTG Engineers for the Gibson Lane Extension Project.
- To not approve the selection of MTG Engineers for the Gibson Lane Extension Project

Fiscal Implications:

Funding is available through the Tax Increment Reinvestment Zone #1 (TIRZ#1) fund.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2019-009 RES Engineering Svs for Gibson Lane Extension (DOCX)
b. 2019-009 EXH 'A' (XLSX)
c. 2019-009 Goals & Perspectives (DOCX)

Staff Coordination

Purchasing and Contracting	Sharon Moore	Department Head Review	Completed	01/16/2019 8:42 AM
Finance Department	Kristin Peeples	Finance Review	Completed	01/16/2019 11:29 AM
Public Works Department	Dusty Henslee	Review	Completed	01/16/2019 12:50 PM
Deputy City Manager	Kyle Dooley	Deputy City Manager Review	Completed	01/18/2019 8:35 AM
City Manager	Shirley Jaster	City Manager Review	Completed	01/22/2019 3:05 PM
City Council	Vicky Coopwood	Meeting	Pending	01/28/2019 6:00 PM

Meeting History

Attachment: 2019-009 RES Engineering Svs for Gibson Lane Extension [Revision 1] (2004 : 2019-009 RES Engineering Services Gibson Lane

RESOLUTION NO. 2019 - 009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MTG ENGINEERS & SURVEYORS FOR THE GIBSON LANE EXTENSION PROJECT FOR AN AMOUNT NOT TO EXCEED $485,982.40; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, issued request for qualifications for engineering services for the extension of Gibson Lane from University Avenue to Pleasant Grove Road; and

WHEREAS, in response to the request for qualifications, five responses were received. Responders were MTG Engineers and Surveyors of Texarkana, Texas, Halff Associates of Shreveport, Louisiana, Wier and Associates of Arlington, Texas, Spears Engineering of Texarkana, Arkansas, and A.L. Franks Engineering of Texarkana, Arkansas, and are summarized in the Scoring Sheet on the attached **Exhibit "A"**; and

WHEREAS, MTG Engineers and Surveyors were selected by a committee from the group of qualified responders; and

WHEREAS, engineering services are considered "professional services", therefore, city staff negotiated pricing with the selected firm pursuant to Texas Local Government Code 2254.004; and

WHEREAS, funds are available in the Tax Increment Reinvestment Zone #1 Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the selected responder to perform the engineering services for the extension of Gibson Lane from University Avenue to Pleasant Grove Road is hereby declared to be MTG Engineers and Surveyors of Texarkana, Texas, and therefore their proposal is accepted.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **28th day of January, 2019**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2019-009 RES Engineering Svs for Gibson Lane Extension [Revision 1] (2004 : 2019-009 RES Engineering Services Gibson Lane

Gibson Lane Scoring Results					
2019-009 EXH 'A'	Reviewers				
	1	2	3	4	Average Score
MTG Engineers Texarkana, TX	95	95	95	88	93.25
HALFF Associates Shreveport, LA	95	95	90	90	92.50
Wier & Associates Arlington, TX	90	90	80	84	86.00
Spears Engineering Texarkana, AR	80	60	70	72	70.50
A.L. Franks Engineering Texarkana, AR	75	65	65	82	71.75

Government Entity shall select the engineer on the basis of demonstrated compitence and qualifications and negotiate a fair and reasonable price according toTX LGC 2254.004

Attachment: 2019-009 EXH 'A' (2004 : 2019-009 RES Engineering Services Gibson Lane Extension)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☑	Provide a Safe Community
	☐	Deliver Quality Services
	☑	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	☐	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☑	Model a Positive City Image
	☑	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☐	Maintain Fiscal Strength
	☐	Maximize Utilization & Resources
	☑	Invest in Infrastructure & Transportation
Develop Personnel	☐	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☐	None Required	☐	

Other:

Attachment: 2019-009 Goals & Perspectives (2004 : 2019-009 RES Engineering Services Gibson Lane Extension)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 1/18/2019 1:32 PM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,

Subject: Ordinance No. 2019-010 amending the Major Maintenance Fund (Fund 120) budget for fiscal year 2019 and adding the amount of ONE HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED SEVENTY DOLLARS AND THIRTY-ONE CENTS ($165,370.31) for unspent funds from the prior fiscal year.

Briefing: 1/28/2019 **Public Hearing:** **Council Vote:** 1/28/2019

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

In Fiscal Year 2018 the Major Maintenance Fund was established to account for major maintenance projects within the city. It's source of revenue was a transfer of $3 million from the General Fund. In Fiscal Year 2019 the General Fund transferred an additional $500,000 to the Major Maintenance Fund. Revenue and expenditures for major maintenance are accounted for separately in this fund, which allows for the fund to maintain a rolling fund balance exclusively for major maintenance needs. There is currently $165,370.31 available for appropriation in this fund.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Appropriation of current available fund balance.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2019-010 ORD amend Major Maintenance Fund FY 19 Budget (DOC)
b. 2019-010 ATTH 01 Major Maintenance Fund Balance (PDF)
c. 2019-010 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples 01/16/2019 2:51 PM	Department Head Review	Completed	
Public Works Department		Dusty Henslee	Review	Completed
	01/16/2019 3:00 PM			
Deputy City Manager	Kyle Dooley 01/16/2019 4:51 PM	Deputy City Manager Review		Completed
City Manager	Shirley Jaster	City Manager Review	Completed	01/17/2019 1:27 PM
City Council	Vicky Coopwood	Meeting	Pending	01/28/2019 6:00 PM

Meeting History

ORDINANCE NO. 2019-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE MAJOR MAINTENANCE FUND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019, ADDING THE AMOUNT OF ONE HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED SEVENTY DOLLARS AND THIRTY-ONE CENTS ($165,370.31); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, funds totaling **ONE HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED SEVENTY DOLLARS AND THIRTY-ONE CENTS ($165,370.31)** are available in the Major Maintenance Fund (Fund 120); and

WHEREAS, these funds are not currently included in the budget for the Major Maintenance Fund (Fund 120) for the Fiscal Year Ending September 30, 2019; and

WHEREAS, the unbudgeted funds of **ONE HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED SEVENTY DOLLARS AND THIRTY-ONE CENTS ($165,370.31)** may be effectively utilized for additional major maintenance needs; and

WHEREAS, City staff recommends amending the budget estimate of the City's expenditures for the fiscal year beginning October 1, 2018, and ending September 30, 2019, by adding the available funds to the Major Maintenance Fund (Fund 120).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2018, and ending September 30, 2019, be amended to reflect additional expenditures appropriated of **ONE HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED SEVENTY DOLLARS AND THIRTY-ONE CENTS ($165,370.31)** and added to the Major Maintenance Fund (Fund 120).

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **28th day of January, 2019**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2019-010 ORD amend Major Maintenance Fund FY 19 Budget (2005 : 2019-010 ORD Amending FY19 Major Maintenance Fund)

120 - Major Maintenance Fund

2019-010 ATTH 01

	FY 2018	FY 2019	
Beginning Fund Balance	-	963,189.35	
Revenue			
Trf From Gen Fund	3,000,000.00	500,000.00	
Interest	19,790.82	-	
Recovery Damage Claims			
	3,019,790.82	500,000.00	
Expenditures			
Other Improvements 55817		500,000.00	Original Budget
Other Improvements 55817	2,056,601.47	797,819.04	FY 18 Rollover PO's
Other Improvements 55817		165,370.31	Available
	2,056,601.47	1,463,189.35	
Ending Fund Balance	963,189.35	-	

Attachment: 2019-010 ATTH 01 Major Maintenance Fund Balance (2005 : 2019-010 ORD Amending FY19 Major Maintenance Fund)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☑	Provide a Safe Community
	☐	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	☐	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☑	Model a Positive City Image
	☑	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☑	Maintain Fiscal Strength
	☑	Maximize Utilization & Resources
	☑	Invest in Infrastructure & Transportation
Develop Personnel	☐	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2019-010 Goals & Perspectives (2005 : 2019-010 ORD Amending FY19 Major Maintenance Fund)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 1/18/2019 1:33 PM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,

Subject: Ordinance No. 2019-011 amending the Building Maintenance Fund (Fund 228) budget for fiscal year 2019 and adding the amount of EIGHT THOUSAND FORTY-SEVEN DOLLARS AND FORTY-TWO CENTS ($8,047.42) for revenue received in fiscal year 2019.

Briefing: 1/28/2019 **Public Hearing:** **Council Vote:** 1/28/2019

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The City recently received two checks totaling $8,047.42 that were deposited into the Building Maintenance Fund (Fund 228).

Texas Municipal League	$4,207.42	Insurance payment for storm damage at the parks
Southern Diamond Fast Pitch	$3,840.00	Contribution for field conditioner

Because this revenue was not anticipated at the time the budget was established, it is not included in the budget for the fiscal year ending September 30, 2019. Staff is requesting that this revenue, along with an offsetting expenditure, be added to the budget for the Building Maintenance Fund (Fund 228) for the fiscal year ending September 30, 2019.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Appropriation of current available fund balance.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2019-011 ORD amend Building Maintenance Fund FY 19 Budget (DOC)
b. 2019-011 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples 01/16/2019 3:44 PM	Department Head Review	Completed	
Parks, Recreation & Health		Robby Robertson	Review	Completed
	01/16/2019 4:08 PM			
Deputy City Manager	Kyle Dooley 01/16/2019 4:52 PM	Deputy City Manager Review		Completed
City Manager	Shirley Jaster	City Manager Review	Completed	01/17/2019 1:28 PM
City Council	Vicky Coopwood	Meeting	Pending	01/28/2019 6:00 PM

Meeting History

ORDINANCE NO. 2019-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET REVENUES AND EXPENDITURES FOR THE BUILDING MAINTENANCE FUND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019, ADDING THE AMOUNT OF EIGHT THOUSAND FORTY-SEVEN DOLLARS AND FORTY-TWO CENTS ($8,047.42); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, funds totaling **EIGHT THOUSAND FORTY-SEVEN DOLLARS AND FORTY-TWO CENTS ($8,047.42)** are available in the Building Maintenance Fund (Fund 228); and

WHEREAS, these funds are not currently included in the budget for the Building Maintenance Fund (Fund 228) for the Fiscal Year Ending September 30, 2019; and

WHEREAS, the unbudgeted funds of **EIGHT THOUSAND FORTY-SEVEN DOLLARS AND FORTY-TWO CENTS ($8,047.42)** may be effectively utilized for additional maintenance needs; and

WHEREAS, City staff recommends amending the budget estimate of the City's revenues and expenditures for the fiscal year beginning October 1, 2018, and ending September 30, 2019, by adding the available funds to the Building Maintenance Fund (Fund 228).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2018, and ending September 30, 2019, be amended to reflect additional revenues and expenditures appropriated of **EIGHT THOUSAND FORTY-SEVEN DOLLARS AND FORTY-TWO CENTS ($8,047.42)** and added to the Building Maintenance Fund (Fund 228).

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **28th day of January, 2019**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2019-011 ORD amend Building Maintenance Fund FY 19 Budget (2006 : 2019-011 ORD Amending FY19 Building Maintenance

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☑ Promote an Environmentally Sensitive & Livable Community
	☑ Provide a Safe Community
	☐ Deliver Quality Services
	☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness
	☐ Maximize Partnership Opportunities
	☐ Provide Courteous & Responsive Customer Service
	☑ Model a Positive City Image
	☑ Deliver Efficient Services
	☐ Cultivate Community Involvement & Access
Manage the Resources	☑ Maintain Fiscal Strength
	☑ Maximize Utilization & Resources
	☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce
	☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2019-011 Goals & Perspectives (2006 : 2019-011 ORD Amending FY19 Building Maintenance Fund)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 1/22/2019 8:20 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2019-004 rezoning a 0.424 acre tract of land in the George Brinlee HRS, A-18, located at 5812 McKnight Road. Single Family-1 to Office. Derek Ballard, applicant.

Briefing: 1/28/2019 **Public Hearing:** 2/11/2019 **Council Vote:** 2/11/2019

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Z-19-1: This is a request by Derek Ballard, owner, to rezone an approximate 0.424 acre tract of land in the George Brinlee HRS, A-18, located at 5812 McKnight Road from Single Family-1 to Office. A residence is currently located on this property.

The adjacent zoning is Single Family-1 to the north, south, east and west. The adjacent land use is vacant land to the east and south and residences to the north and west.

The owner is proposing to convert the existing residence into an office use. The owner had requested a curb cut off McKnight Road, but it was denied by TXDOT. Therefore, access will be off Pearson Lane.

The new Comprehensive Plan has designated this property that fronts on McKnight Road as "Neighborhood Retail". An office use is an allowed use in this designation.

The applicant should be aware that a 7' screening device is required along the northern and eastern property line where this property abuts to residential zoning.

The applicant should also be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

All notification and application requirements have been met to consider this request.

Potential Options:

"None"

Fiscal Implications:

"None"

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

January 7, 2019

Attachments

a. 2019-004 ORD rezoning 5812 McKnight Rd(DOCX)
b. 2019-004 EXH 'A' legal description (PDF)
c. 2019-004 ATTH 01 Maps (PDF)
d. 2019-004 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2019 9:20 AM	Department Head Review	
Deputy City Manager	Kyle Dooley 01/18/2019 3:23 PM	Deputy City Manager Review	Completed	
City Manager	Shirley Jaster 4:09 PM	City Manager Review	Completed	01/18/2019
City Council	Vicky Coopwood 6:00 PM	Meeting	Pending	01/28/2019

Meeting History

Z-19-1

ORDINANCE NO. 2019-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 0.424 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 5812 MCKNIGHT ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-1 TO OFFICE; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 0.424 acre tract of land in the George Brinlee HRS, A-18, **(Exhibit 'A')**, located at 5812 McKnight Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Office;** and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted unanimously six (6) to zero (0) to recommend the application for rezoning** from **Single Family-1 to Office on a 0.424 acre tract of land in the George Brinlee HRS, A-18 (Exhibit 'A'), located at 5812 McKnight Road** in the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-1 to Office** in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 0.424 acre tract of land in the George Brinlee HRS, A-18 **(Exhibit 'A')**, located at 5812 McKnight Road in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Office.**

Attachment: 2019-004 ORD rezoning 5812 McKnight Rd (2007 : 2019-004 ORD rezoning 5812 McKnight Road. SF-1 to Office)

SECTION 2: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of February, 2019.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2019-004 ORD rezoning 5812 McKnight Rd (2007 : 2019-004 ORD rezoning 5812 McKnight Road. SF-1 to Office)

Ord. # 2019-004

EXHIBIT "A"

Legal description of the land:

TRACT 1:

All that certain tract or parcel of land being a part of the GEORGE BRINLEE HEADRIGHT SURVEY, A-18, Bowie County, Texas, and being all of a 0.4335 acre tract as described in Warranty Deed from Bradley S. Stormes, and wife Darla Stormes to Jesse L. Crouse and wife, Pauline Crouse dated November 24, 1998, recorded in Volume 2963, Page 129 of the Real Property Records of Bowie County, Texas, and being more particularly described as follows:

BEGINNING: at a found 1 ½" metal pipe for corner at the Northeast corner of the above described 0.4335 acre tract of land, same being the Southeast corner of a 0.92 acre tract as described in Warranty Deed to Elmer A. Ennis recorded in Volume 604, Page 196 of the Deed Records of Bowie County, Texas, same being on the West boundary line of 2.00 acre tract as described Volume 469, Page 403 of the Deed Records of Bowie County, Texas.

THENCE: S 00°54' 30" W, with the East boundary line of the above described 0.4335 acre tract, same being the west boundary line of the above described 2.00 acre tract, 105.38 feet to a set 5/8" rebar with plastic cap (stamped R.P.L.S. 4874 typical) for corner on the North right-of-way line of Farm Road No. 1297 (McKnight Road);

THENCE: N 89°36' 40" W, with the North right of way line of Farm Road No. 1297, 174.99 feet to a set 5/8" rebar with plastic cap for corner;

THENCE: N 00°54' 05" E, with the East right-of-way line of Pearson Lane, 105.88 feet to a set 5/8" rebar with plastic cap for corner;

THENCE: S 89°26' 56" E, with the North boundary line of the above described 0.4335 acre tract, same being the south boundary line of the above described 0.92 acre tract, 175.00 feet to the POINT OF BEGINNING and containing 0.4243 of an acre of land, more or less.

Attachment: 2019-004 EXH 'A' legal description (2007 : 2019-004 ORD rezoning 5812 McKnight Road. SF-1 to Office)

2019-004 ATTH 01

Attachment: 2019-004 ATTH 01 Maps [Revision 1] (2007 : 2019-004 ORD rezoning 5812 McKnight Road. SF-1 to Office)

Attachment: 2019-004 ATTH 01 Maps [Revision 1] (2007 : 2019-004 ORD rezoning 5812 McKnight Road. SF-1 to Office)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2019-004 Goals & Perspectives (2007 : 2019-004 ORD rezoning 5812 McKnight Road. SF-1 to Office)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 1/22/2019 12:04 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2019-005 granting a Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS) on an existing billboard on a 0.108 acre tract of land in the Adolphus Hope HRS, A-261, located at 3408 St Michael Drive. Jorge Cereijo, applicant. Chad Shipp, Shipp Outdoor, LLC, agent.

Briefing: 1/28/2019 **Public Hearing:** 2/11/2019 **Council Vote:** 2/11/2019

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

S-700: This is a request by Jorge Cereijo, owner, and Chad Shipp, Shipp Outdoor, LLC, agent, for a Specific Use Permit to allow the location of a Changeable Electronic Variable Message Sign (CEVMS) on both sides of an existing vinyl billboard located on a 0.108 acre tract of land in the Adolphus Hope HRS, A-261, located at 3408 St. Michael Drive.

The current zoning is Planned Development-General Retail. A Specific Use Permit is required to allow a CEVMS in this zoning district.

The adjacent zoning is PD-General Retail to the west and Single Family-2 to the north and east. Interstate-30 is located to the south. The adjacent land use is an auto repair shop to the north, a Goodwill Store to the west, residences to the east and Interstate-30 to the south.

An existing 42.5' vinyl billboard with two sign faces on each side is currently located on this site. The proposal is to convert each side of the billboard (east and west) to a single faced CEVMS billboard.

Staff has concerns about the CEVMS lighting on the east side of the billboard possibly affecting the residential property owners to the north and east along New Castle Street and Royale Drive.

Therefore, staff recommends for approval of the Specific Use Permit on the west side only with the following stipulations:

1. The existing west side two sign faces will be converted to a single faced CEVMS on the west side of the existing billboard.
2. This sign face will be 672 square feet in size (14' x 48') which is the maximum size allowed per Ordinance.

3. Per Ordinance, the owner shall coordinate with local authorities to display public service announcements (PSAs); and when appropriate, emergency information important to traveling public.
4. All local city permitting processes and requirements will be followed.
5. Applicant will be required to follow all applicable TXDOT Commercial Signs Regulatory Program guidelines (except if local codes are more restrictive) including but not limited to the following:

    a. Obtain a state commercial sign permit if the sign is within 660 feet of the nearest edge of the right of way of a regulated highway if any part of the sign's information content is visible from any place on the main-traveled way of the highway.
    b. A sign face may not exceed: (1) 672 square feet in area; (2) 25 feet in height; and (3) 60 feet in length.
    c. Permitted signs on the same side of a regulated freeway, including freeway frontage roads, may not be erected closer than 1,500 feet apart. For a highway on a non-freeway primary system and outside the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 750 feet apart. For a highway on a non-freeway primary system highway and within the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 300 feet apart.
    d. A sign may not be located in a place that creates a safety hazard, including a location that: (1) causes a driver to be unduly distracted; (2) obscures or interferes with the effectiveness of an official traffic sign, signal, or device; or (3) obscures or interferes with the driver's view of approaching, merging, or intersecting traffic.

    For a complete listing of the TXDOT Commercial Signs Regulatory Program guidelines, please visit https://www.txdot.gov/inside-txdot/division/right-of-way/outdoor-signs.html.

Again, staff recommends for denial of the CEVMS on the east side of the existing billboard due to concerns about the CEVMS lighting affecting the residences to the north and east along New Castle Street and Royale Drive.

All notification requirements have been met to consider this request,

Potential Options:

"None"

Fiscal Implications:

"None"

Staff Recommendation:

Staff recommends for approval of the upgrade to CEVMS on the west side of the billboard but recommends for denial on the east side.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with staff stipulations to allow the CEVMS on both sides of the existing billboard.

Advisory Board/Committee Meeting Date:

January 7, 2019

Attachments

a. 2019-005 ORD SUP for CEVMS 3408 at St. Michael Dr. (DOCX)
b. 2019-005 EXH 'A' (PDF)
c. 2019-005 ATTH 01 Maps (PDF)
d. 2019-005 ATTH 02 Photo of existing billboard (PDF)
e. 2019-005 ATTH 03 Photos of proposed billboard (PDF)
f. 2019-005 ATTH 04 Info from Shipp showing lighting angles (PDF)
g. 2019-005 ATTH 05 Photo from Shipp taken from catwalk (east side) & night photo of Meineke (PDF)
h. 2019-005 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	Completed	01/18/2019 9:36 AM
Deputy City Manager	Kyle Dooley	Deputy City Manager Review	Completed	01/18/2019 3:19 PM
City Manager	Shirley Jaster	City Manager Review	Completed	01/22/2019 3:10 PM
City Council	Vicky Coopwood	Meeting	Pending	01/28/2019 6:00 PM

Meeting History

ORDINANCE NO. 2019-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-700 TO ALLOW A CHANGEABLE ELECTRONIC VARIABLE MESSAGING SIGN (CEVMS) ON A 0.108 ACRE TRACT OF LAND IN THE ADOLPHUS HOPE HRS, A-261, LOCATED AT 3408 ST. MICHAEL DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance so as to grant a **Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS)** on a 0.108 acre tract of land in the Adolphus Hope HRS, A-261 **(Exhibit 'A')**, located at 3408 St. Michael Drive in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted six (6) to zero (0) to recommend approval of the application for a Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS)** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS)** is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended so as to grant a **Specific Use Permit numbered S-700 for the purpose of allowing a Changeable Electronic Variable Messaging Sign (CEVMS)** on a 0.108 acre tract of land in the Adolphus Hope HRS, A-261 **(Exhibit 'A')** in the City of Texarkana, Bowie County, Texas.

SECTION 2: That the following special terms and conditions are hereby imposed and made part of this Ordinance:

1. The existing west and east two sign faces will be converted to a single faced CEVMS on the east and west side of the existing billboard.

Attachment: 2019-005 ORD SUP for CEVMS 3408 at St. Michael Dr. [Revision 1] (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St.

2. This sign faces will be 672 square feet in size (14' x 48') which is the maximum size allowed per Ordinance.
3. Per Ordinance, the owner shall coordinate with local authorities to display public service announcements (PSAs); and when appropriate, emergency information important to traveling public.
4. All local city permitting processes and requirements will be followed.
5. Applicant will be required to follow all applicable TxDOT Commercial Signs Regulatory Program guidelines (except if local codes are more restrictive) including but not limited to the following:

    a. Obtain a state commercial sign permit if the sign is within 660 feet of the nearest edge of the right of way of a regulated highway or if any part of the sign's information content is visible from any place on the main-traveled way of the highway.
    b. A sign face may not exceed: (1) 672 square feet in area; (2) 25 feet in height; and (3) 60 feet in length.
    c. Permitted signs on the same side of a regulated freeway, including freeway frontage roads, may not be erected closer than 1,500 feet apart. For a highway on a non-freeway primary system and outside the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 750 feet apart. For a highway on a non-freeway primary system highway and within the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 300 feet apart.
    d. A sign may not be located in a place that creates a safety hazard, including a location that: (1) causes a driver to be unduly distracted; (2) obscures or interferes with the effectiveness of an official traffic sign, signal, or device; or (3) obscures or interferes with the driver's view of approaching, merging, or intersecting traffic.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of February, 2019.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2019-005 ORD SUP for CEVMS 3408 at St. Michael Dr. [Revision 1] (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St.

Attachment: 2019-005 ORD SUP for CEVMS 3408 at St. Michael Dr. [Revision 1] (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St.

Ord. # 2019-005

EXHIBIT "A"

EASEMENT interest only in and to the following described property:

All that certain lot, tract or parcel of land lying and situated in the ADOLPHUS HOPE HEADRIGHT SURVEY, Abstract 261, Bowie County, Texas, being all of that certain tract of land described as 0.108 acre in the Deed from Jim Lindsey and wife, Moja Lindsey to Yvonne Fellers, Inc., dated November 3, 1999, recorded in Volume 3166, Page 188 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod found for a corner, capped Texas JHG 1715 (control monument), lying in the North right-of-way line of Interstate Highway No. 30 Service Road (St. Michael Drive), the Southwest corner of the said 0.108 acre tract and the Southeast corner of that certain tract of land described as 3.80 acres in the Deed from William Prejean Properties, LLC to Arklatex Real Estate, LP, dated March 18, 2006, recorded in Volume 5346, Page 67 of the Real Property Records of Bowie County, Texas, same being that certain tract of land described as 3.80 acres in the Deed from Jim Lindsey, et ux to John C. Meadors, dated May 7, 1975, recorded in Volume 585, Page 289 of the Deed Records of Bowie County, Texas;

THENCE North 01 deg. 45' 00" East a distance of 159.07 feet along the West line of the said 0.108 acre tract and the East line of the said 3.80 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying at an angle point in the West line of Lot No. 10, Block No. 5 of Sparkwood North 2nd Addition, according to the plat recorded in Volume 329, Page 155 of the Plat Records of Bowie County, Texas, the North corner of the said 0.108 acre tract, said corner bears North 01 deg. 45' 00" East (basis of bearings) a distance of 624.63 feet to a 1 inch steel pipe found for a corner (control monument), the Northwest corner of the said Addition and the Northeast corner of the said 3.80 acre tract;

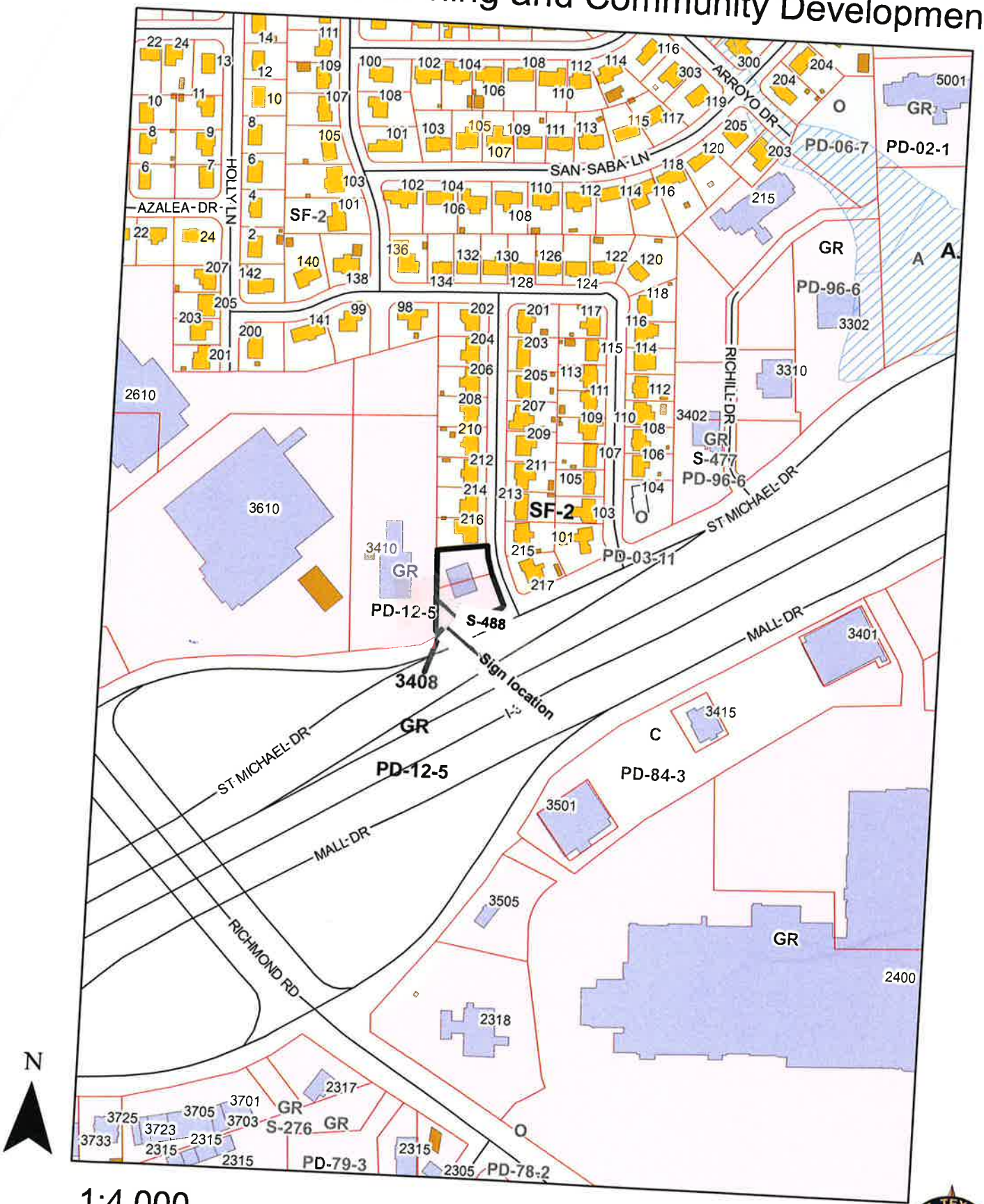
THENCE South 22 deg. 10' 58" East, a distance of 145.42 feet along the East line of the said 0.108 acre tract, the West line of the said Lot No. 10, and the West line of Lot No. 11, Block No. 5 of the said Addition to a 1/2" steel rod set for a corner, capped MTG 101011-00, lying in the North right-of-way line of the said Drive, the Southeast corner of the said 0.108 acre tract, and the Southwest corner of the said Lot No. 11;

THENCE South 67 deg. 50' 17" West, a distance of 64.53 feet along the North right-of-way line of the said Drive and the South line of the said 0.108 acre tract to the Point of Beginning and containing 0.108 acres of land, more or less.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

Attachment: 2019-005 EXH 'A' (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St. Michael Drive)

3408 St. Michael Dr.
Department of Planning and Community Development



Attachment: 2019-005 ATTH 01 Maps (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St. Michael Drive)

3408 St. Michael Dr.
Department of Planning and Community Development

N

1:1,500

Attachment: 2019-005 ATTH 01 Maps (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St. Michael Drive)

Photo of existing billboard

Attachment: 2019-005 ATTH 02 Photo of existing billboard (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St. Michael Drive)

Photo of proposed new billboard.

Actual sign shown was installed at another location by Shipp Outdoor, LLC

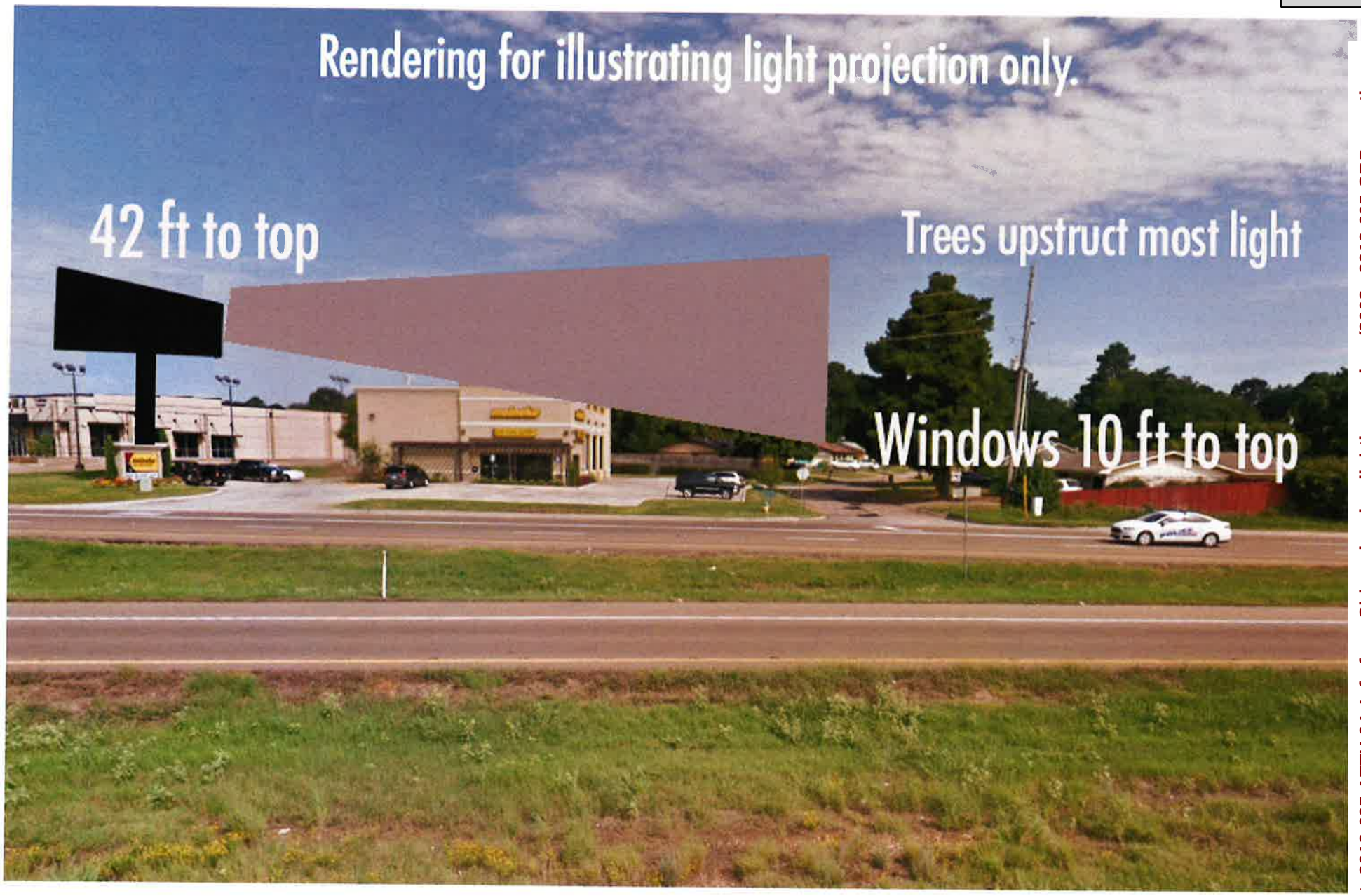
Attachment: 2019-005 ATTH 03 Photos of proposed billboard (2008 : 2019-005 ORD granting SUP for

Photo of proposed new billboard.

Actual sign shown was installed at another location by Shipp Outdoor, LLC

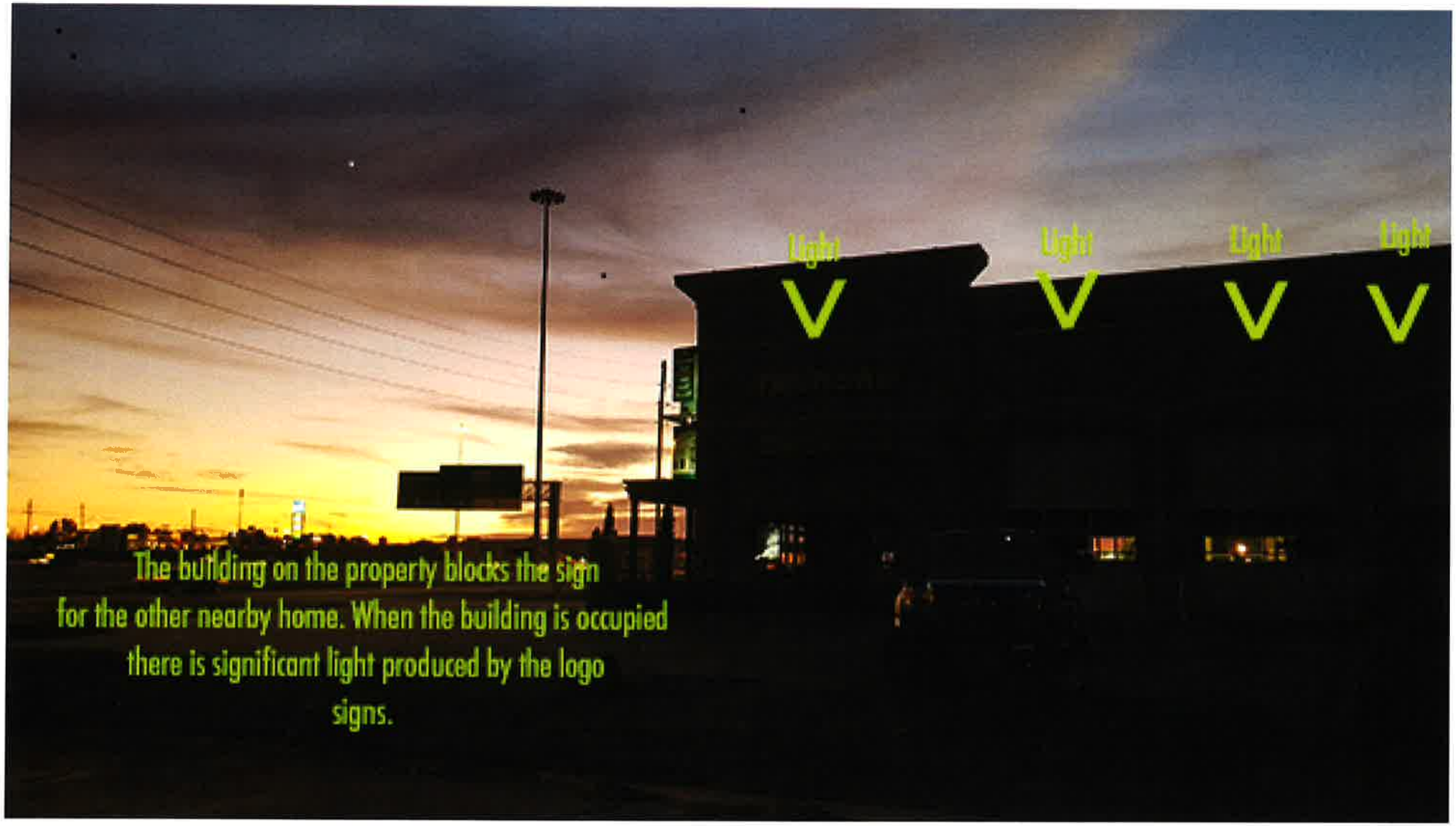
2019-005 ATTH 04

Attachment: 2019-005 ATTH 04 Info from Shipp showing lighting angles (2008 : 2019-005 ORD granting



Attachment: 2019-005 ATTH 04 Info from Shipp showing lighting angles (2008 : 2019-005 ORD granting

Attachment: 2019-005 ATTH 05 Photo from Shipp taken from catwalk (east side) & night photo of Meineke



Attachment: 2019-005 ATTH 05 Photo from Shipp taken from catwalk (east side) & night photo of Meineke

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:	
Perspectives	**Goals**
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:	
NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:			
☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted
Other:			

Attachment: 2019-005 Goals & Perspectives (2008 : 2019-005 ORD granting SUP for CEVMS at 3408 St. Michael Drive)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 1/22/2019 12:04 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2019-006 granting a Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS) on the east side of an existing billboard on a 0.083 acre tract of land in the George Brinlee HRS, A-18, located at 6241 St. Michael Drive. Don Babin, applicant. Chad Shipp, Shipp Outdoor, LLC, agent.

Briefing: 1/28/2019 **Public Hearing:** 2/11/2019 **Council Vote:** 2/11/2019

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

S-701: This is a request by Don Babin, owner, and Chad Shipp, Shipp Outdoor, LLC, agent, for a Specific Use Permit to allow the location of a Changeable Electronic Variable Message Sign (CEVMS) on the east side of an existing billboard located on a 0.183 acre tract of land in the George Brinlee HRS, A-18, located at 6241 St. Michael Drive.

The current zoning is General Retail. A Specific Use Permit is required to allow a CEVMS in this zoning district.

The adjacent zoning is General Retail to the north, east and west. Interstate-30 is located to the south. The adjacent land use is a vacant building to the north, Life Net, Inc. to the east, vacant land to the west and Interstate-30 to the south.

As previously stated, an existing billboard is located on this site. The existing billboard has a CEVMS on the west side of the single faced billboard. The applicant is now proposing to convert the east side of the single face of the existing billboard to a CEVMS.

Staff recommends for approval of the Specific Use Permit on the east side with the following stipulations:

1. The east side of the existing billboard will be converted to a single faced CEVMS.
2. The sign face will be 672 (14' x 48') square feet in size which is the maximum size allowed per Ordinance.
3. Per Ordinance, the owner shall coordinate with local authorities to display public service announcements (PSAs); and when appropriate, emergency information important to traveling public.
4. All local city permitting processes and requirements will be followed.

5. Applicant will be required to follow all applicable TXDOT Commercial Signs Regulatory Program guidelines (except if local codes are more restrictive) including but not limited to the following:

    a. Obtain a state commercial sign permit if the sign is within 660 feet of the nearest edge of the right of way of a regulated highway if any part of the sign's information content is visible from any place on the main-traveled way of the highway.
    b. A sign face may not exceed: (1) 672 square feet in area; (2) 25 feet in height; and (3) 60 feet in length.
    c. Permitted signs on the same side of a regulated freeway, including freeway frontage roads, may not be erected closer than 1,500 feet apart. For a highway on a non-freeway primary system and outside the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 750 feet apart. For a highway on a non-freeway primary system highway and within the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 300 feet apart.
    d. Sign may not be located in a place that creates a safety hazard, including a location that: (1) causes a driver to be unduly distracted; (2) obscures or interferes with the effectiveness of an official traffic sign, signal, or device; or (3) obscures or interferes with the driver's view of approaching, merging, or intersecting traffic.

    For a complete listing of the TXDOT Commercial Signs Regulatory Program guidelines, please visit https://www.txdot.gov/inside-txdot/division/right-of-way/outdoor-signs.html.

All notification requirements have been met to consider this request,

Potential Options:

"None"

Fiscal Implications:

"None"

Staff Recommendation:

Staff recommends for approval with stipulations listed above.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 7, 2019

Attachments

a. 2019-006 ORD SUP for CEVMS 6241 St. Michael Dr. (DOCX)
b. 2019-006 EXH 'A' (PDF)
c. 2019-006 ATTH 01 Maps (PDF)
d. 2019-006 ATTH 02 Photo of existing east side of billboard(PDF)
e. 2019-006 ATTH 03 Photo of existing west side of billboard(PDF)
f. 2019-006 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2019 9:50 AM	Department Head Review	
Deputy City Manager	Kyle Dooley 01/18/2019 3:09 PM	Deputy City Manager Review	Completed	
City Manager	Shirley Jaster	City Manager Review	Completed	01/22/2019 3:07 PM
City Council	Vicky Coopwood	Meeting	Pending	01/28/2019 6:00 PM

Meeting History

ORDINANCE NO. 2019-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-701 TO ALLOW A CHANGEABLE ELECTRONIC VARIABLE MESSAGING SIGN (CEVMS) ON A 0.083 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 6241 ST. MICHAEL DRIVE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance so as to grant a **Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS)** on a 0.083 acre tract of land in the George Brinlee HRS, A-18 **(Exhibit 'A')**, located at 6241 St. Michael Drive in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted six (6) to zero (0) to recommend approval of the application for a Specific Use Permit to allow a Changeable Electronic Variable Messaging Sign (CEVMS)** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit to allow a Changeable Electronic Messaging Sign (CEVMS)** is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended so as to grant a **Specific Use Permit numbered S-701 for the purpose of allowing a Changeable Electronic Variable Messaging Sign (CEVMS)** on a 0.083 acre tract of land in the George Brinlee HRS, A-18 **(Exhibit 'A')** in the City of Texarkana, Bowie County, Texas.

SECTION 2: That the following special terms and conditions are hereby imposed and made part of this Ordinance:

1. The east side of the existing billboard will be converted to a single faced CEVMS.

Attachment: 2019-006 ORD SUP for CEVMS 6241 St. Michael Dr. [Revision 2] (2009 : 2019-006 ORD granting SUP for CEVMS at 6241 St. Michael

2. The sign face will be 672 (14' x 48') square feet in size which is the maximum size allowed per Ordinance.
3. Per Ordinance, the owner shall coordinate with local authorities to display public service announcements (PSAs); and when appropriate, emergency information important to traveling public.
4. All local city permitting processes and requirements will be followed.
5. Applicant will be required to follow all applicable TxDOT Commercial Signs Regulatory Program guidelines (except if local codes are more restrictive) including but not limited to the following:

    a. Obtain a state commercial sign permit if the sign is within 660 feet of the nearest edge of the right of way of a regulated highway or if any part of the sign's information content is visible from any place on the main-traveled way of the highway.
    b. A sign face may not exceed: (1) 672 square feet in area; (2) 25 feet in height; and (3) 60 feet in length.
    c. Permitted signs on the same side of a regulated freeway, including freeway frontage roads, may not be erected closer than 1,500 feet apart. For a highway on a non-freeway primary system and outside the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 750 feet apart. For a highway on a non-freeway primary system highway and within the incorporated boundaries of a municipality, permitted signs on the same side of the highway may not be erected closer than 300 feet apart.
    d. Sign may not be located in a place that creates a safety hazard, including a location that: (1) causes a driver to be unduly distracted; (2) obscures or interferes with the effectiveness of an official traffic sign, signal, or device; or (3) obscures or interferes with the driver's view of approaching, merging, or intersecting traffic.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of February, 2019.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2019-006 ORD SUP for CEVMS 6241 St. Michael Dr. [Revision 2] (2009 : 2019-006 ORD granting SUP for CEVMS at 6241 St. Michael

EXHIBIT "A"

Ord. # 2019-006

DESCRIPTION OF PROPERTY:

All that certain tract or parcel of land situated in and being a part of the GEORGE BRINLEE HEADRIGHT SURVEY, Abstract No. 18, Bowie County, Texas, and a part of that certain tract of land conveyed to The Gathering Church of Texarkana by deed recorded in Vol. 2284, Page 162 of the Real Property Records of Bowie County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at the Southeast corner of that certain tract of land conveyed to The Gathering Church of Texarkana by deed recorded in Vol. 2284, Page 162 of the Real Property Records of Bowie County, Texas; said POINT OF BEGINNING being North, 1201.78 ft. and West, 1079.80 ft. from an ell corner of the GEORGE BRINLEE HEADRIGHT SURVEY, Abstract No. 18, Bowie County, Texas; said Point of Beginning also on the North right-of-way line of Interstate Highway No. 30; N. 76°53'59" W., 40.17 ft. from an angle point in said North right-of-way line; said angle point being 150.00 ft. North at right angles from centerline station 2229+50 of said Highway;

THENCE - N. 76°53'59" W., 60.26 ft. with the above mentioned North right-of-way line to the point of intersection of said North right-of-way line and a line 60.00 ft. west at right angles from and parallel with the East boundary line of the above mentioned The Gathering Church tract;

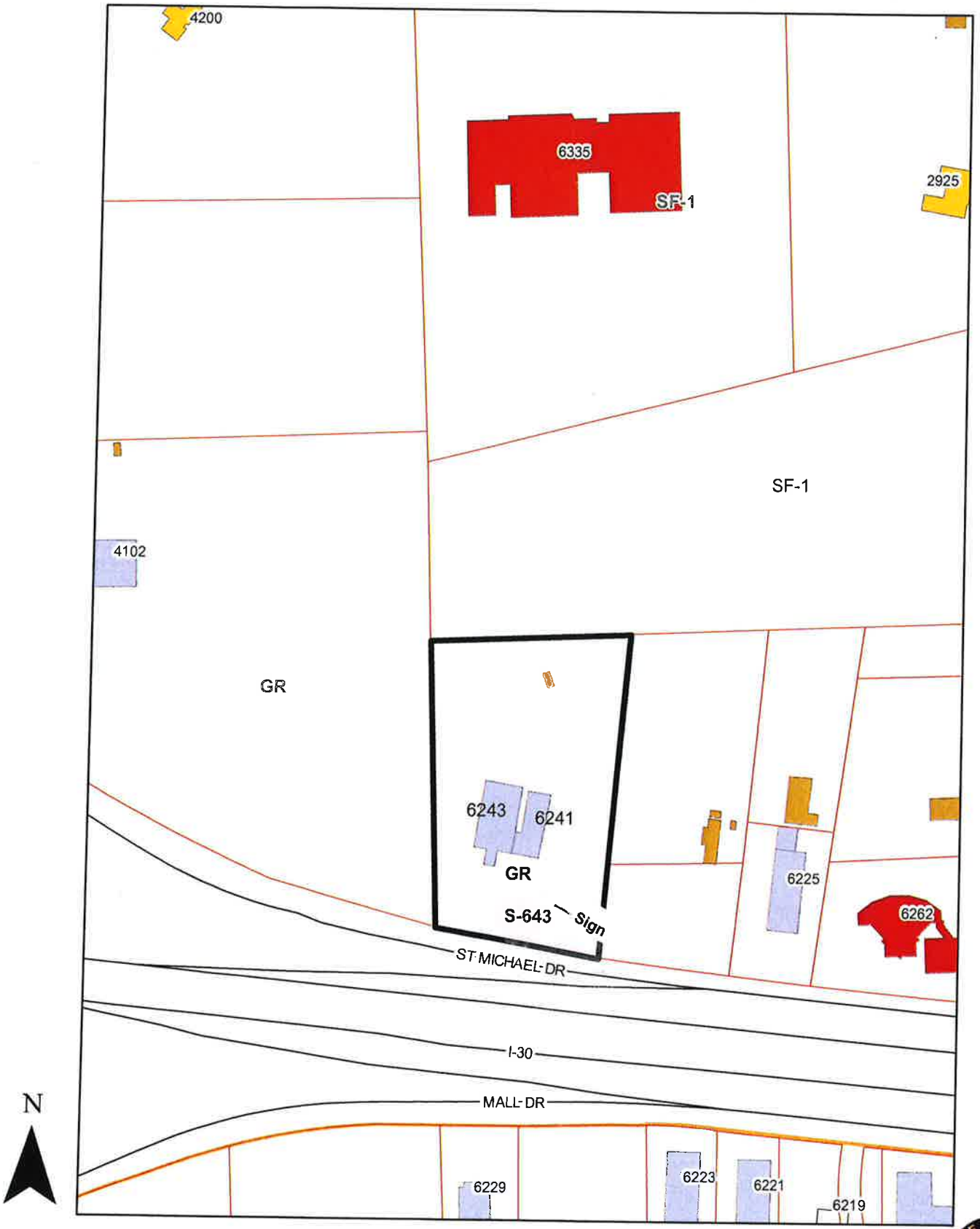
THENCE - N. 07°47'52" E., 60.26 ft. along the above mentioned line 60.00 ft. west at right angles from and parallel with the East boundary line to a line 60.00 ft. north at right angles from and parallel with the above mentioned North right-of-way line;

THENCE - S. 76°53'59" E., 60.26 ft. with the above mentioned line 60.00 ft. north at right angles from and parallel with North right-of-way line to the above mentioned East boundary line;

THENCE - S. 07°47'52" W., 60.26 ft. with the above mentioned East boundary line to the POINT OF BEGINNING; basis of bearings is deed call bearing for North right-of-way line of Interstate Highway No. 30. The above described property being surveyed by Richard V. Hall, Jr. contains 0.083 acres of land, more or less.

Attachment: 2019-006 EXH 'A' (2009 : 2019-006 ORD granting SUP for CEVMS at 6241 St. Michael Dr.)

St. Michael Dr. 6241
Department of Planning and Community Development



1:3,000

Attachment: 2019-006 ATTH 01 Maps (2009 : 2019-006 ORD granting SUP for CEVMS at 6241 St. Michael Dr.)

St. Michael Dr. 6241
Department of Planning and Community Development

N

1:1,500

Attachment: 2019-006 ATTH 01 Maps (2009 : 2019-006 ORD granting SUP for CEVMS at 6241 St. Michael Dr.)

Photo of existing vinyl billboard (east side)

Attachment: 2019-006 ATTH 02 Photo of existing east side of billboard (2009 : 2019-006 ORD granting

Photo of west side (CEVMS) of existing billboard

East side will match this digital signage

Attachment: 2019-006 ATTH 03 Photo of existing west side of billboard (2009 : 2019-006 ORD granting

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2019-006 Goals & Perspectives (2009 : 2019-006 ORD granting SUP for CEVMS at 6241 St. Michael Dr.)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 1/17/2019 5:11 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2019-007 granting a Specific Use Permit to allow a tattoo studio on a 0.31 acre tract of land in the Howard Ethridge HRS, A-182, located at 1423 New Boston Road. David Jones, dba Canasota Dreams, LLC, applicant.

Briefing: 1/28/2019 **Public Hearing:** 2/11/2019 **Council Vote:** 2/11/2019

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

S-702: This is a request by Canasota Dreams, LLC, owner, for a Specific Use Permit, SUP, to allow the location of a tattoo studio on a 0.31 acre tract of land in the Howard Ethridge HRS, A-182, located at 1423 New Boston Road. A hair salon is also proposed to be located in this building.

The adjacent zoning is Industrial-1 to the east and south and Commercial to the north and west. The adjacent land use is businesses to the north, south, east and west.

This property is zoned Industrial-1. A Specific Use Permit is required to allow the one additional use of a tattoo studio in this zoning district. The State of Texas will regulate this business as to licensing and other health related issues.

A tattoo studio is currently located at 911 New Boston Road (S-379). A Specific Use Permit (S-651) was approved to allow a tattoo studio at 1414 New Boston Road which is nearly directly across the street from this property. However, that tattoo studio is no longer in business.

This request meets all city requirements to allow the one additional use of a tattoo studio on this property. If this request is approved, staff would suggest the following stipulations be placed in the Ordinance:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. That the sale of tobacco products or drug paraphernalia is prohibited.
5. The hours of operation will be 8 a.m. to midnight, Monday thru Saturday.

6. Any remodeling of the current building must meet all city codes and requires licensed contractors.
7. No painting of the windows or the building with advertisement or graphic art.
8. No loitering allowed.

The applicant should be aware that if this request is approved, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, and parking requirements prior to the issuance of building permits.

All notifications and application requirements have been met to consider this request.

Potential Options:

"None"

Fiscal Implications:

"None"

Staff Recommendation:

Staff recommends for approval with stipulations listed above.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 7, 2019

Attachments

a. 2019-007 ORD SUP for tattoo studio at 1423 New Boston Rd. (DOCX)
b. 2019-007 ATTH 01 Maps (PDF)
c. 2019-007 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	Completed	01/18/2019 11:29 AM
Deputy City Manager	Kyle Dooley	Deputy City Manager Review	Completed	01/18/2019 3:06 PM
City Manager	Shirley Jaster	City Manager Review	Completed	01/18/2019 3:45 PM
City Council	Vicky Coopwood	Meeting	Pending	01/28/2019 6:00 PM

Meeting History

S-702

ORDINANCE NO. 2019-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-702 TO ALLOW THE ONE ADDITIONAL USE OF A TATTOO STUDIO ON A 0.31 ACRE TRACT OF LAND LOCATED IN THE HOWARD ETHRIDGE HRS, A-182, LOCATED AT 1423 NEW BOSTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **one additional use of a tattoo studio** on a 0.31 acre tract of land in the Howard Ethridge HRS, A-182, located at 1423 New Boston Road in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the one additional use of a tattoo studio** on said property; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit** is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant a **Specific Use Permit Numbered S-702 for allowing the one additional use of a tattoo studio** at 1423 New Boston Road in the City of Texarkana, Bowie County, Texas.

SECTION 2: That the following special terms and conditions are hereby imposed and made part of this Ordinance:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business.)
2. That if any complaints concerning minors or any violations of the regulations listed

Attachment: 2019-007 ORD SUP for tattoo studio at 1423 New Boston Rd. [Revision 1] (2010 : 2019-007 ORD granting a SUP to allow tattoo

above occur, the City has the right to revoke the Specific Use Permit.

3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. That the sale of tobacco products or drug paraphernalia is prohibited.
5. The hours of operation will be 8 a.m. to midnight, Monday thru Saturday.
6. Any remodeling of the current building must meet all city codes and requires licensed contractors.
7. No painting of the windows or the building with advertisement or graphic art.
8. No loitering allowed.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of February, 2019.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2019-007 ORD SUP for tattoo studio at 1423 New Boston Rd. [Revision 1] (2010 : 2019-007 ORD granting a SUP to allow tattoo

2019-007 ATTH 01

Attachment: 2019-007 ATTH 01 Maps (2010 : 2019-007 ORD granting a SUP to allow tattoo studio at 1423 New Boston Rd.)

Texarkana Water Utility - GIS

Attachment: 2019-007 ATTH 01 Maps (2010 : 2019-007 ORD granting a SUP to allow tattoo studio at 1423 New Boston Rd.)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2019-007 Goals & Perspectives (2010 : 2019-007 ORD granting a SUP to allow tattoo studio at 1423 New Boston Rd.)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 1/18/2019 4:37 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2019-008 amending PD-17-2(O) for site plan approval on a 1.04 acre tract of land in the George Brinlee HRS, A-18, located at 4009 Moores Lane. Mark Looney, applicant. Mark James, agent.

Briefing: 1/28/2019 **Public Hearing:** 2/11/2019 **Council Vote:** 2/11/2019

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Amendment to PD-17-2(0): This is a request for site plan approval by Dr. Mark Looney, owner, Mark James, agent, to allow the construction of a dentist office at 4009 Moores Lane. This is a 1.04 acre tract of land in the George Brinlee HRS, A-18. A residence has recently been demolished and removed from the site.

The adjacent zoning is Office to the north, PD-Office to the east and Single Family-1 to the south and west. The adjacent land use is a church to the north, residences to the east and west and vacant land to the south.

The site plan consists of the following:

1. A 6,800 square foot brick, stone and EIFS one-story building.
2. 50 parking spaces with 2 handicapped spaces.
3. A 6' x 8' monument style sign shown to be located on west side of existing driveway. (sign must be located outside of any right-of-way)
4. Dumpster location at the back-southeast corner of the property. (dumpster must be screened)

Staff recommends the following stipulations:

1. A fire hydrant and Knox box must be installed to meet Fire Code requirements. The fire lane must also meet code requirements.
2. Screening fence is required along the south and west property line where property abuts to residential zoning.
3. Any lighting is to be shielded from adjacent residential properties.

The applicant should be aware that if this site plan is approved, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited

to building, subdivision, fire, drainage, water and sewer prior to the issuance of building permits.

All notification and application requirements have been met to consider this request.

Potential Options:

"None"

Fiscal Implications:

"None"

Staff Recommendation:

Staff recommends for approval of the site plan with stipulations listed above.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

January 7, 2019

Attachments

a. 2019-008 ORD site plan app. at 4009 Moores Ln. (DOCX)
b. 2019-008 EXH 'A' Site Plan (PDF)
c. 2019-008 EXH 'B' legal description (PDF)
d. 2019-008 ATTH 01 Maps (PDF)
e. 2019-008 ATTH 02 Elevations (PDF)
f. 2019-008 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 01/18/2019 11:30 AM	Department Head Review	
Deputy City Manager	Kyle Dooley 01/18/2019 3:03 PM	Deputy City Manager Review	Completed	
City Manager	Shirley Jaster	City Manager Review	Completed	01/18/2019 3:43 PM
City Council	Vicky Coopwood	Meeting	Pending	01/28/2019 6:00 PM

Meeting History

City of Texarkana, Texas

Attachment: 2019-008 ORD site plan app. at 4009 Moores Ln. [Revision 1] (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

Amendment to
PD-17-2(O)

ORDINANCE NO. 2019-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-17-2(O) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF AN OFFICE ON A 1.04 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 4009 MOORES LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') to allow the location of an office** on a 1.04 acre tract of land in the George Brinlee HRS, A-18 **(Exhibit 'B')**, located at 4009 Moores Lane in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Office [PD-17-2(O)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-17-2(O); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-Office; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of this amendment, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of six (6) to zero (0) to recommend approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above described property is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the site plan **(Exhibit 'A')** to allow the location of an office on a 1.04 acre tract of land in the George Brinlee HRS, A-18 **(Exhibit 'B')**, located at 4009 Moores Lane in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-17-2(O).

SECTION 2: PD-17-2(O) is hereby amended by approval of the site plan **(Exhibit 'A')**, incorporated herein by reference for all purposes, and includes the following:

1. A 6,800 square foot brick, stone and EIFS one-story building.
2. Fifty (50) parking spaces with two (2) handicapped spaces.
3. A 6' x 8' monument style sign to be located on west side of existing driveway. Sign must be located outside of any right-of-way.
4. Dumpster location is at the back southeast corner of the property. Dumpster must be screened.
5. Install a fire hydrant and Knox box to meet Fire Code requirements. The fire lane must also meet code requirements.
6. Construct a screening fence along the south and west property line where property abuts to residential zoning.
7. Shield any lighting away from adjacent residential properties.
8. Be aware that if this site plan is approved, there may be additional applicable city code/ordinance requirements in addition to those listed including but not limited to building, subdivision, fire, drainage, water and sewer prior to the issuance of building permits.

SECTON 3: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of February, 2019.**

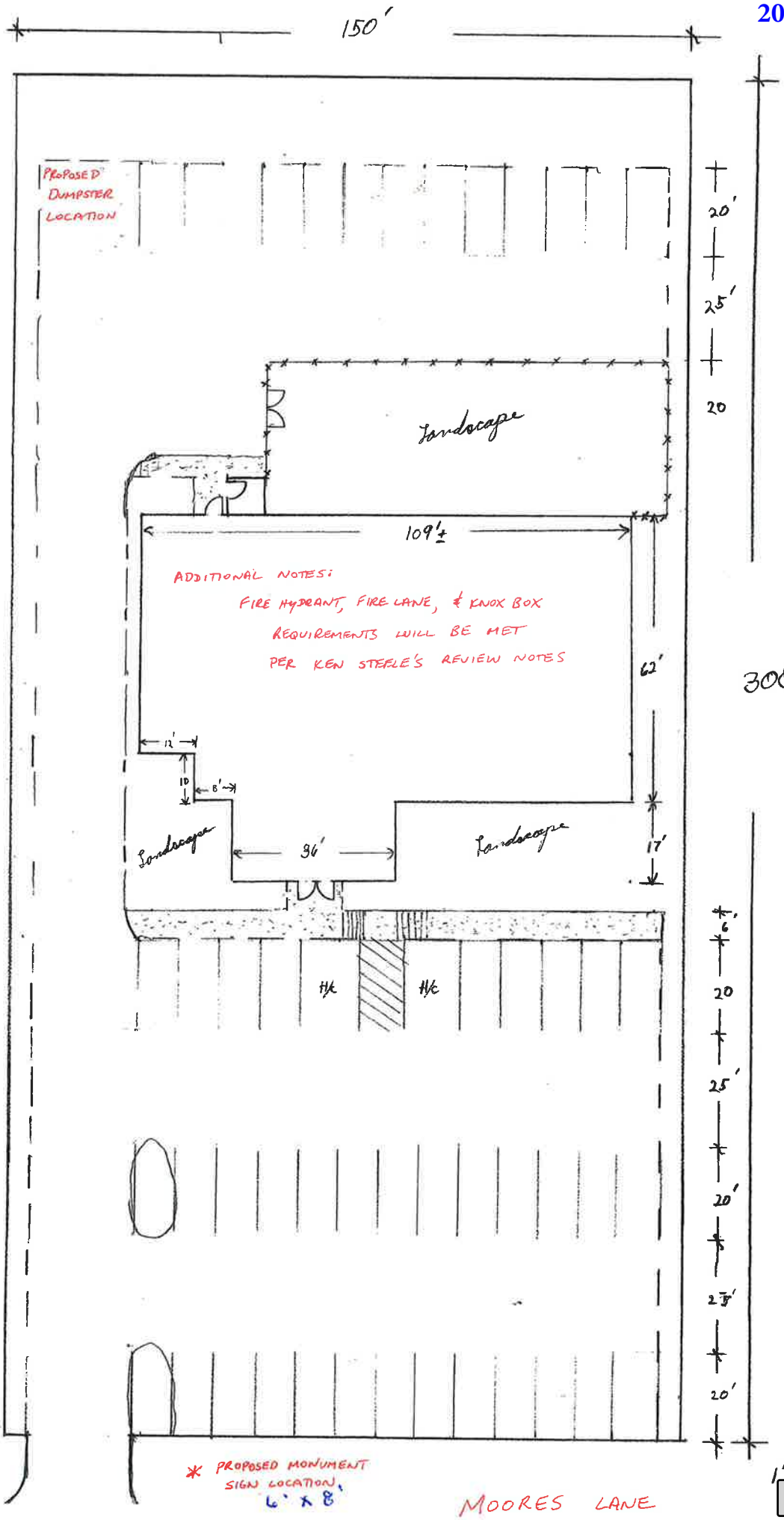
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2019-008 ORD site plan app. at 4009 Moores Ln. [Revision 1] (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

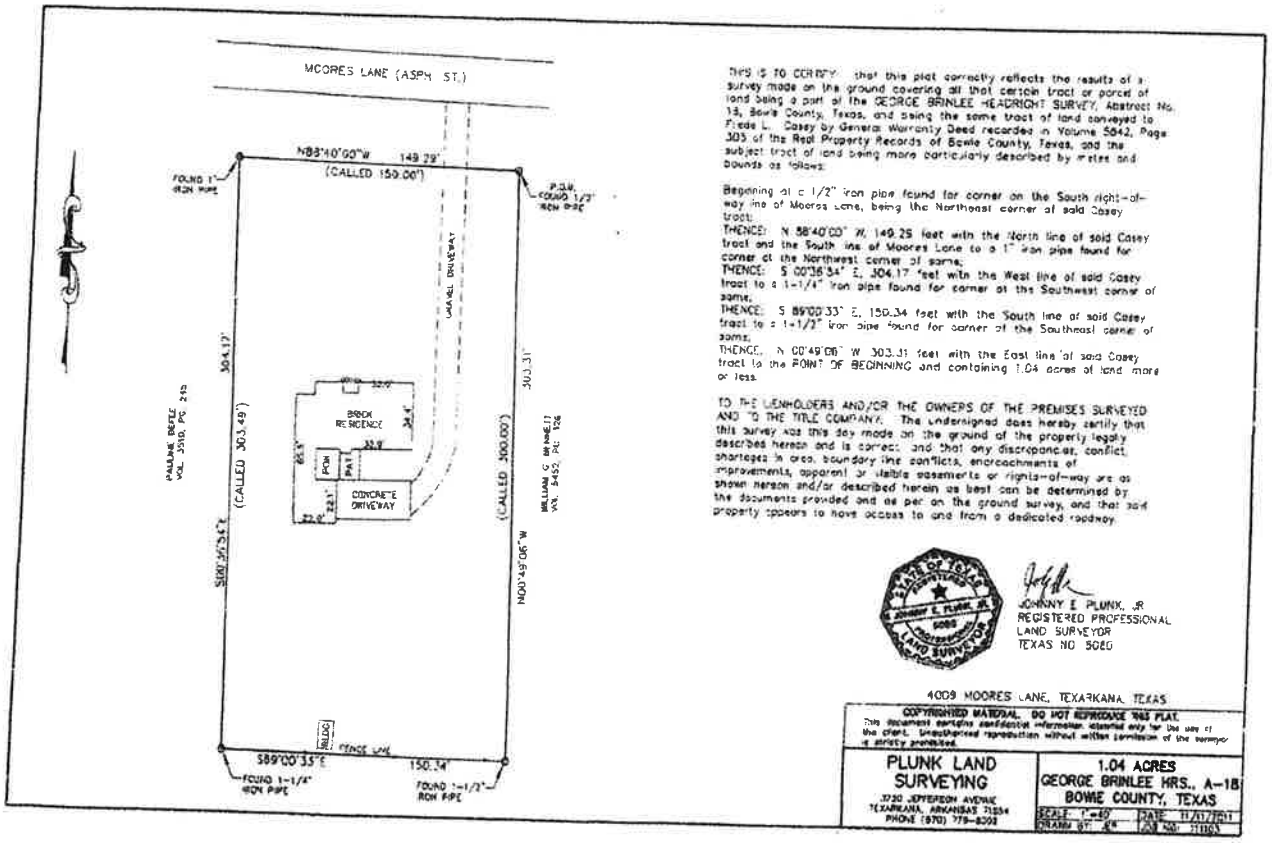
Attachment: 2019-008 ORD site plan app. at 4009 Moores Ln. [Revision 1] (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)



Attachment: 2019-008 EXH 'A' Site Plan (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

Ord. # 2019-008

EXHIBIT 'B'



THIS IS TO CERTIFY that this plat correctly reflects the results of a survey made on the ground covering all that certain tract or parcel of land being a part of the GEORGE BRINLEE HEADRIGHT SURVEY, Abstract No. 18, Bowie County, Texas, and being the same tract of land conveyed to Freda L. Casey by General Warranty Deed recorded in Volume 5842, Page 305 of the Real Property Records of Bowie County, Texas, and the subject tract of land being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pipe found for corner on the South right-of-way line of Moores Lane, being the Northeast corner of said Casey tract;
THENCE: N 88°40'00" W, 149.29 feet with the North line of said Casey tract and the South line of Moores Lane to a 1" iron pipe found for corner at the Northwest corner of same;
THENCE: S 00°36'34" E, 304.17 feet with the West line of said Casey tract to a 1-1/4" iron pipe found for corner at the Southwest corner of same;
THENCE: S 89°00'33" E, 150.34 feet with the South line of said Casey tract to a 1-1/2" iron pipe found for corner at the Southeast corner of same;
THENCE: N 00°49'06" W 303.31 feet with the East line of said Casey tract to the POINT OF BEGINNING and containing 1.04 acres of land more or less.

TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE TITLE COMPANY: The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct; and that any discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments of improvements, apparent or visible easements or rights-of-way are as shown hereon and/or described herein as best can be determined by the documents provided and as per on the ground survey, and that said property appears to have access to and from a dedicated roadway.

STATE OF TEXAS — JOHNNY E. PLUNK, JR. — 5085 — REGISTERED LAND SURVEYOR

JOHNNY E. PLUNK, JR
REGISTERED PROFESSIONAL
LAND SURVEYOR
TEXAS NO. 5085

4009 MOORES LANE, TEXARKANA, TEXAS

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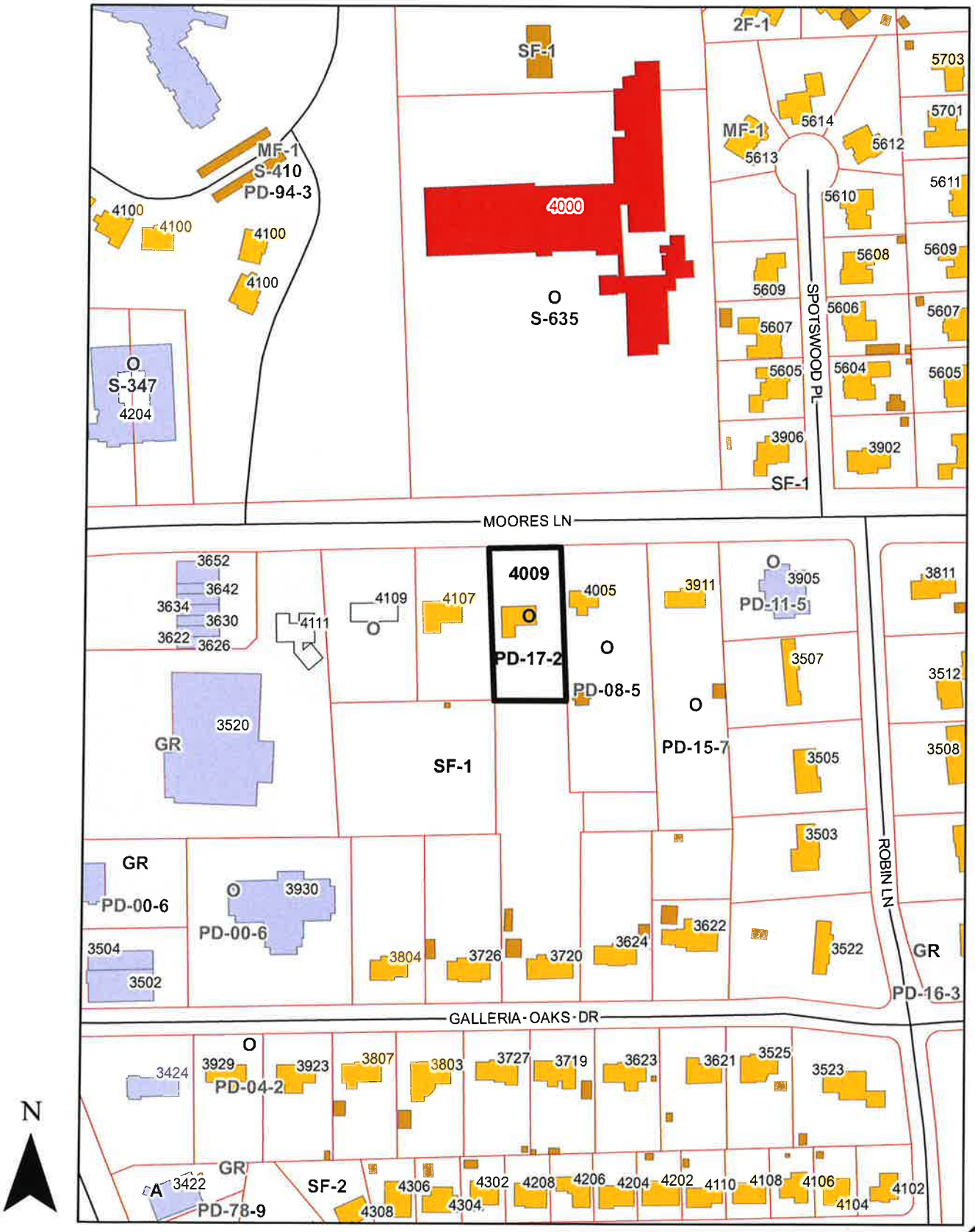
PLUNK LAND SURVEYING
3730 JEFFERSON AVENUE
TEXARKANA, ARKANSAS 71854
PHONE (870) 779-8098

1.04 ACRES
GEORGE BRINLEE HRS., A-18
BOWIE COUNTY, TEXAS
SCALE: 1"=40' | DATE: 11/17/2011
DRAWN BY: JEP | JOB NO: 11103

Attachment: 2019-008 EXH 'B' legal description (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

4009 Moores Ln.
Department of Planning and Community Development



N

1:3,000

Attachment: 2019-008 ATTH 01 Maps (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

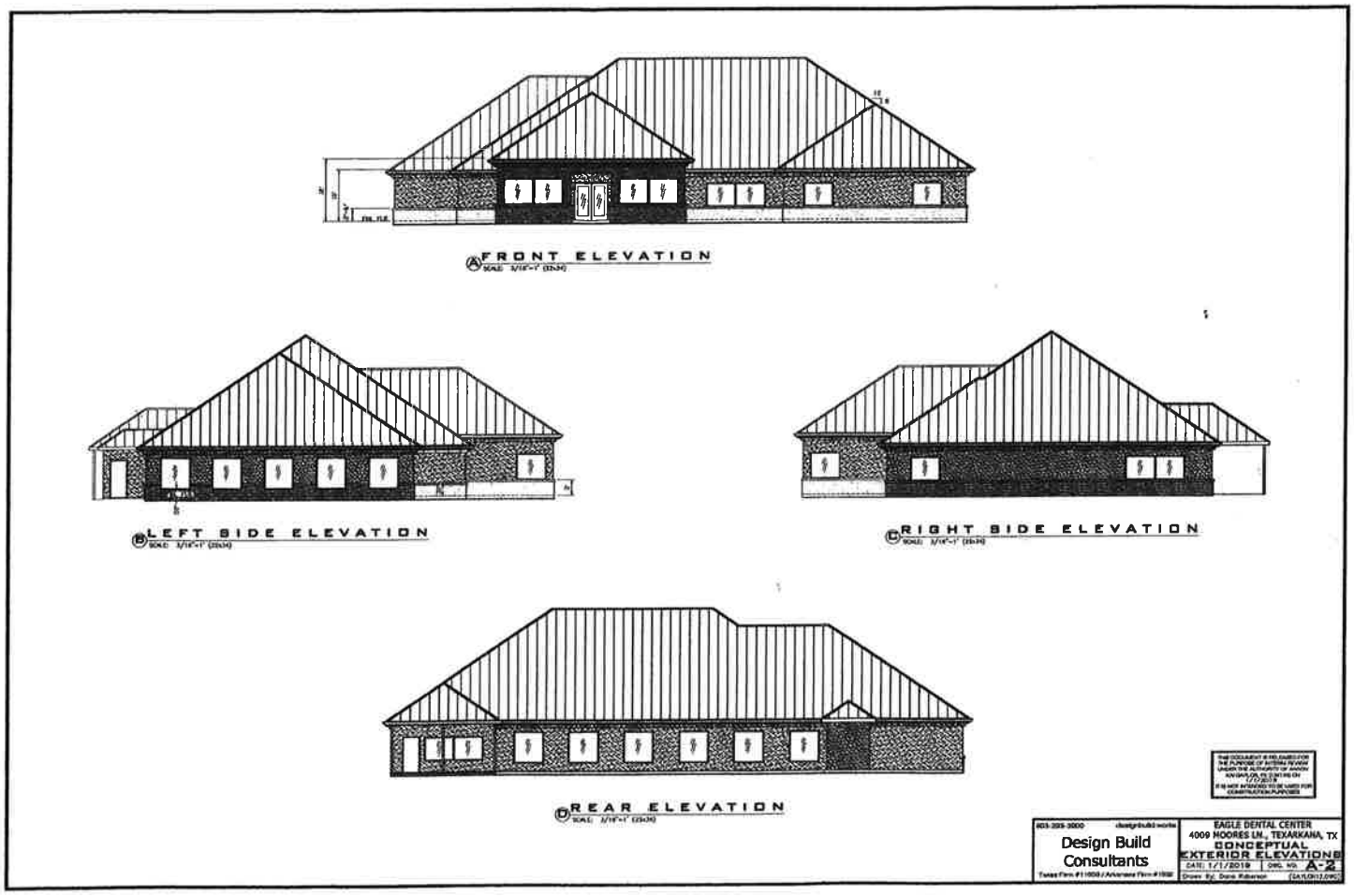
4009 Moores Ln.
Department of Planning and Community Development

N

1:1,500

Attachment: 2019-008 ATTH 01 Maps (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

2019-008 ATTH 02



Attachment: 2019-008 ATTH 02 Elevations (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2019-008 Goals & Perspectives (2011 : 2019-008 ORD for site plan approval at 4009 Moores Lane)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 1/9/2019 11:27 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2019-001 amending Chapter 140, "Zoning", Section 140-111, "UPDD University Planned Development District" of the Land Development Code.

Briefing: 1/28/2019 **Public Hearing:** 1/28/2019 **Council Vote:** 1/28/2019

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Staff recently received a request to amend Section 140-111(d) "Use Regulations" (10) "Area 8" Richmond Road Mixed Use Development" in the University Planned Development District (UPDD) to add a new use. After considering this request, the Planning and Zoning Commission requested to consider the use request as a part of the five (5) year review of the UPDD Guidelines and that a workshop meeting be held to review these guidelines and make any necessary additions or revisions.

After the workshop meeting that was held on November 27, 2018, the following revisions and additions were recommended by staff and the Planning and Zoning Commission. Most of these changes primarily involve Area 8 (Richmond Road Mixed Use Area).

SEC. 140-111. UPDD University Planned Development District

(d) *Use regulations.* A church or chapel is allowed in all areas.

(3) Retail and Mixed Uses:

a. School, public;

b. Bank, credit union, or financial services;

c. Food and beverage store (no package stores);

d. Restaurant or eateries (no drive-thru service allowed east of bridge) roof top/patio/outside seating allowed (only along Bringle Lake frontage);

e. Office use;

f. Mixed uses with ground floor retail, personal services and/or offices, upper floor condominiums;

g. Brownstone condominiums;

h. Department stores;

i. Dry cleaner stores with cleaning facilities outside the UPDD;

j. Civic, cultural, and community facilities;

k. Medical clinic ~~(7,500 square feet maximum)~~;

l. Coffee, bakery or confectionary shop;

m. Retail and shops under 10,000 square feet of gross leasable floor area; and

n. Single-family homes (~~site-built~~ site-built homes, not modular or industrial/manufactured homes).

(6) Single-Family Residential: Single-family homes (one unit per lot, only ~~site-built~~ site-built homes no modular or industrial/manufactured homes).

(7) Mixed Use Residential (no apartments, townhomes or duplexes allowed):

a. Brownstone townhome/condominiums; and

b. Single-family homes (one unit per lot, only ~~site-built~~ site-built homes no modular or industrial/manufactured homes).

(8) Office and Residential Uses:

a. Office use;

b. Single-family homes (one unit per lot, only ~~site-built~~ site-built homes no modular or industrial/manufactured homes); and

c. Brownstone townhomes/condominiums.

(10) Richmond Road Mixed Use Development: All that is allowed in ~~Campus~~ Retail and Mixed-Use, plus:

a. Fast food eateries;

b. Gas stations;

c. Townhomes (no duplexes, triplexes or apartments);

d. Day care facility ~~neighborhood health center; and~~

e. Neighborhood health center;

f. Landscape maintenance business with outdoor display sales and equipment;

g. Application of permanent cosmetics;

h. Mini-warehouse development with retail and/or office uses fronting on Richmond Road, University Avenue, Kings Highway and Pleasant Grove Road;

i. Garden shop and plant sales;

j. Veterinarian (office only);

k. Barber and beauty shop; and

l. Day spa.

140-111(e) Building design.

(8) *Site plan approval process.*

(i) *Review.* The UPDD will be reviewed by the planning and zoning commission and the city council for amendments no sooner than annually but not less than every five (5) years thereafter.

It should be noted that any new construction within this district must meet all UPDD guidelines/requirements. Some of these requirements are architectural façade, fencing/screening materials and landscape requirements. Examples of these standards are: 1) a brick, stone, rock marble and/or granite façade shall be used in at least 50% of the exterior walls of the development, and 2) fencing materials shall be limited to or a combination of the following: stone, brick, decorative split faced block masonry, decorative concrete or other masonry material.
In addition, a site plan approval process is required for any new structure built in the UPDD. This site plan will be reviewed by the Director of Community Development and Planning, the Planning and Zoning Commission Chairman, and two citizens of Ward Five who reside in the Texarkana, Texas city limits.

Potential Options:

"None"

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of the proposed revisions and changes.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the proposed revisions and changes.

Advisory Board/Committee Meeting Date and Minutes:

December 3, 2018

Attachments

a. 2019-001 ORD amending UPDD (DOC)
b. 2019-001 ATTH 01 Map of Area 8 in UPDD (PDF)
c. 2019-001 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	Completed
	01/03/2019 12:15 PM		
Municipal Prosecutor	Deborah Jones	Asst. City Attorney Review	Completed
	01/03/2019 2:50 PM		

City Attorney	Jeffery C. Lewis	City Attorney Review	Completed	01/03/2019 3:22 PM
Deputy City Manager	Kyle Dooley	Deputy City Manager Review		Completed 01/08/2019 8:12 AM
City Manager	Shirley Jaster	City Manager Review	Completed	01/10/2019 1:40 PM
City Council	Jennifer Evans	Meeting	Completed	01/14/2019 6:00 PM

Meeting History

01/14/19	City Council	MOVED FORWARD	Next: 01/28/19

PUBLISH

ORDINANCE NO. 2019-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 140, "ZONING", OF THE LAND DEVELOPMENT CODE OF THE CITY OF TEXARKANA, TEXAS, BY AMENDING SECTION 140-111, "UPDD UNIVERSITY PLANNED DEVELOPMENT DISTRICT", DELETING SQUARE FOOTAGE MAXIMUM FOR "MEDICAL CLINIC" IN SUBSECTION (d)(3), REVISING AND ADDING RICHMOND ROAD MIXED USE DEVELOPMENT CATEGORIES IN SUBSECTION (d)(10), MAKING GRAMMATICAL REVISIONS TO OTHER SUBSECTIONS OF SECTION 140-111(d), AND REVISING UPDD REVIEW PERIOD IN SUBSECTION (e)(8)(i); PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City's Planning and Community Development and the Planning and Zoning Commission of the City of Texarkana, Texas, recommend revisions and additions to Chapter 140-111, "UPDD University Planned Development District", of the Land Development Code of the City of Texarkana, Texas, and

WHEREAS, the City Council of the City of Texarkana, Texas, finds and determines that such revisions and additions as set forth below are in the best interest of citizens and the City's future growth and safety.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: Chapter 140-111 "UPDD University Planned Development District' of the Land Development Code of the City of Texarkana, Texas, is hereby amended as detailed below (additions noted with underscore, deletions noted with double strikethrough):

Amendments to Chapter 140-111(d)(3):

(3) Retail and Mixed Uses:

a. School, public;

b. Bank, credit union, or financial services;

c. Food and beverage store (no package stores);

d. Restaurant or eateries (no drive-thru service allowed east of bridge) roof top/patio/outside seating allowed (only along Bringle Lake frontage);

e. Office use;

f. Mixed uses with ground floor retail, personal services and/or offices, upper floor condominiums;

g. Brownstone condominiums;

h. Department stores;

Attachment: 2019-001 ORD amending UPDD (1997 : 2019-001 ORD Amendment to Section 141-111 (UPDD) of the Land Develop. Code)

PUBLISH

i. Dry cleaner stores with cleaning facilities outside the UPDD;

j. Civic, cultural, and community facilities;

k. Medical clinic ~~(7,500 square feet maximum)~~;

l. Coffee, bakery or confectionary shop;

m. Retail and shops under 10,000 square feet of gross leasable floor area; and

n. Single-family homes (~~site-built~~ site-built homes, not modular or industrial/manufactured homes).

Amendments to Chapter 140-111(d)(6), (7), and (8):

(6) Single-Family Residential: Single-family homes (one unit per lot, only ~~site-built~~ site-built homes no modular or industrial/manufactured homes).

(7) Mixed Use Residential (no apartments, townhomes or duplexes allowed):

a. Brownstone townhome/condominiums; and

b. Single-family homes (one unit per lot, only ~~site-built~~ site-built homes no modular or industrial/manufactured homes).

(8) Office and Residential Uses:

a. Office use;

b. Single-family homes (one unit per lot, only ~~site-built~~ site-built homes no modular or industrial/manufactured homes); and

c. Brownstone townhomes/condominiums.

Amendments to Chapter 140-111(d)(10):

(10) Richmond Road Mixed Use Development: All that is allowed in ~~Campus~~ Retail and Mixed-Use, plus:

a. Fast food eateries;

b. Gas stations;

c. Townhomes (no duplexes, triplexes or apartments);

d. Day care facility ~~neighborhood health center; and~~

e. Neighborhood health center;

~~e~~f. Landscape maintenance business with outdoor display sales and equipment~~;~~;

~~f~~g. Application of permanent cosmetics;

h. Mini-warehouse development with retail and/or office uses fronting on Richmond Road, University Avenue, Kings Highway or Pleasant Grove Road;

i. Garden shop and plant sales;

Attachment: 2019-001 ORD amending UPDD (1997 : 2019-001 ORD Amendment to Section 141-111 (UPDD) of the Land Develop. Code)

PUBLISH

j. Veterinarian (office only);

k. Barber and beauty shop; and

l. Day spa.

Amendments to Chapter 140-111(e)(i):

(i) *Review.* The UPDD will be reviewed by the planning and zoning commission and the city council for amendments no sooner than ~~one year from the date of adoption and every five years~~ annually but not less than every five (5) years thereafter.

SECTION 2: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 3: The City Secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 4: In case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 5: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

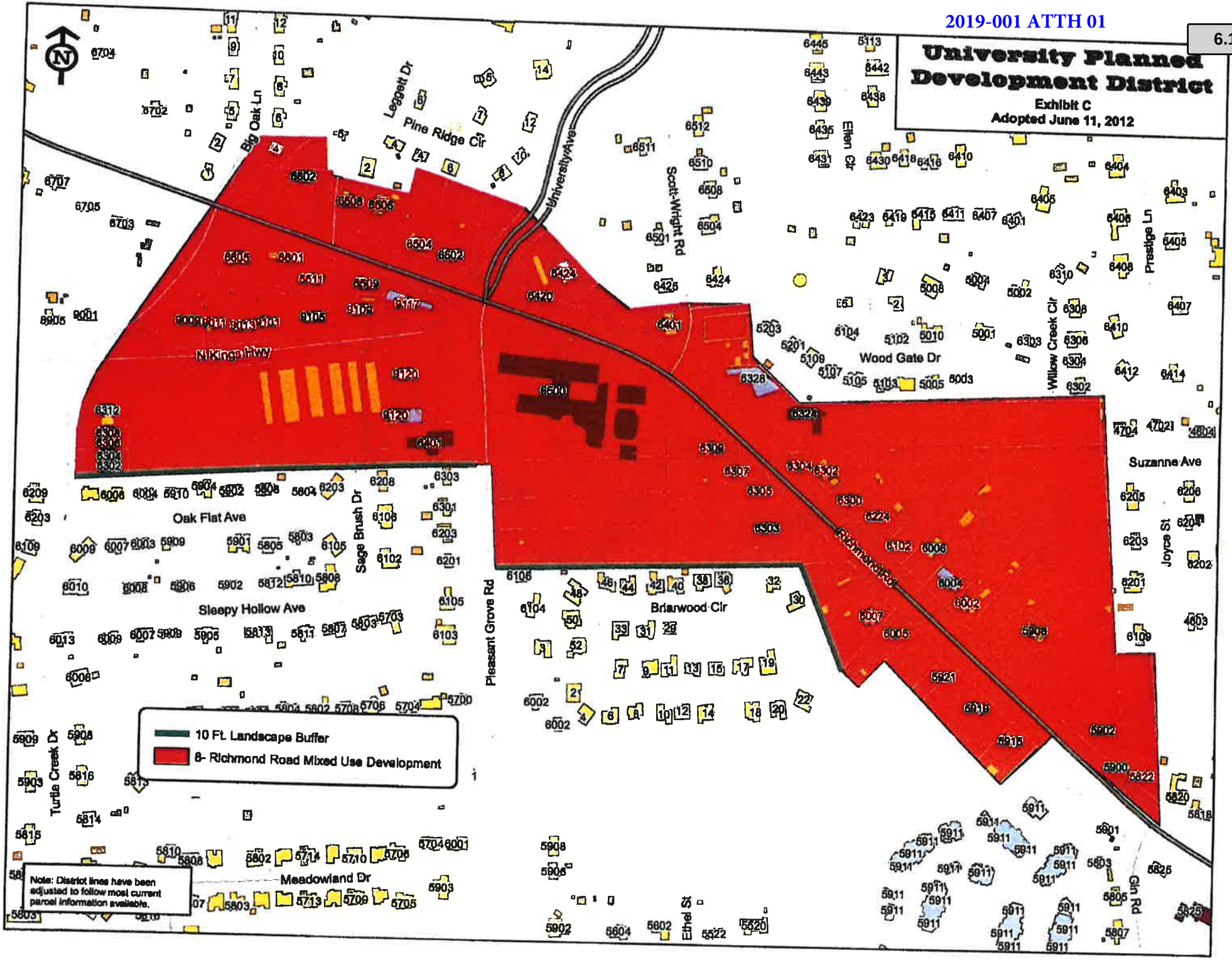
PASSED AND APPROVED in Regular Council Session on this the **28th day of January, 2019**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2019-001 ORD amending UPDD (1997 : 2019-001 ORD Amendment to Section 141-111 (UPDD) of the Land Develop. Code)



Attachment: 2019-001 ATTH 01 Map of Area 8 in UPDD (1997 : 2019-001 ORD Amendment to Section 141-

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2019-001 Goals & Perspectives (1997 : 2019-001 ORD Amendment to Section 141-111 (UPDD) of the Land Develop. Code)