



CITY OF TEXARKANA

CITY COUNCIL

AGENDA • OCTOBER 12, 2020

Council Chambers

Regular Meeting

6:00 PM

**220 TEXAS BLVD.
TEXARKANA, TX 75501**

Mayor

Bob Bruggeman

Ward 1

Jean H. Matlock

Ward 3

Betty Williams

Ward 5

Bill Harp

Ward 2

Mary Hart

Ward 4

Christie Alcorn

Ward 6

Jay 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 LED BY COUNCIL MEMBER BILL HARP**
- III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST**

Upcoming City Council Meetings:

Monday, October 26, 2020 at 6:00 p.m.
Monday, November 9, 2020 at 6:00 p.m.
Monday, November 23, 2020 at 6:00 p.m.

Local Events:

October 15th Small Business Expo - 3 p.m. - 7 p.m. on Main Street in front of Perot Theatre
October 31st Annual "Bark at the Park" 9 a.m. - 2 p.m at Spring Lake Park

Parks & Recreation Events:

Thursday Night - Movies in the Park - Spring Lake Park

October 15th "Trolls World Tour"
October 22nd "Sonic the Hedgehog"
October 29th "The Town that Dreaded Sundown"

****Movies will begin at dusk****

October 24th	3V3 Soccer Spookout Tournament	Wallace Park
October 31st	Drive-thru Trunk or Treat 4 p.m. - 6 p.m.	Spring Lake Park

Southwest Center has reopened with limited hours of operation from 8:00 a.m. - 7:00 p.m., Monday through Friday. Meeting rooms, classes and gym activities will be limited to 15 people per session.

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

SPECIAL PRESENTATION: WASTE MANAGEMENT UPDATE - BY DOUG SIMS**IV. OPEN FORUM: COMMENTS FROM THE PUBLIC**

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

V. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**VI. ITEMS FOR CONSIDERATION***Consent Items*

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 28, 2020 at 6:00 PM.
2. Resolution No. 2020-120 approving an easement for a water line across a small section of land located on property of the Texarkana Airport Authority.

Public Hearing:

Council Vote: October 12, 2020

*Action Items***VII. FIRST BRIEFINGS****VIII. PUBLIC HEARINGS**

1. Ordinance No. 2020-024 amending the Code of Ordinances, Land Development Code, Chapter 105 "Buildings and Construction", Article III "Electrical Code" by adding section 105-181, "Electric Branch Circuits Feeding Sub-panels for Separate Occupancies of Multi-tenant Structures."

Public Hearing: October 12, 2020

Council Vote: October 12, 2020

2. Ordinance No. 2020-098 rezoning an approximate 1.254-acre tract of land in the R.E. Sevey HRS, A-523, located at 2725 Page Street. Single Family-2 to Single Family-3. Alisha and Jeffrey Greene, applicants.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

3. Ordinance No. 2020-099 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home on an approximate 1.254-acre tract of land in the R.E. Sevey, A-523, located at 2725 Page Street. Alisha and Jeffrey Greene, applicants.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

4. Ordinance No. 2020-100 rezoning Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane. Single Family-2 to Single Family-3. Brian Proctor, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

5. Ordinance No. 2020-101 granting a Specific Use Permit to allow the location of a single-wide HUD code manufactured home on Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane. Brian Proctor, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

6. Ordinance No. 2020-102 rezoning a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Single Family-1 to Planned Development-General Retail. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent. (A 3/4 vote of the City Council is required to approve this request).

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

7. Ordinance No. 2020-103 granting a Specific Use Permit to allow a mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

8. Ordinance No. 2020-104 amending PD-20-4 for site plan approval to allow a mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

9. Ordinance No. 2020-105 rezoning Tract 60A, Flower Acres Addition, located in the 3100 block of Bender Road. Single Family-2 to Two-Family-2. Patrick Hill, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

10. Ordinance No. 2020-106 rezoning Tracts 58C and 59, Flower Acres Addition, located in the 3000 block of Bender Road. Single Family-2 to Two Family-2. Patrick Hill, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

11. Ordinance No. 2020-107 rezoning Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue. Single Family-2 to Single Family-3. Rosheaka Webster, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

12. Ordinance No. 2020-108 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home on Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue. Rosheaka Webster, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

13. Ordinance No. 2020-109 granting a Specific Use Permit to allow permanent cosmetics and microblading in a tenant space on Lots 1, 2 and north 1/2 of Lot 3, Block 16, Bell Heights Addition, located at 4410 Texas Boulevard. Mark Looney, applicant. Linde Huddleston, agent.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

IX. ITEMS FOR DISCUSSION

Staff Updates

X. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

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).



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • SEPTEMBER 28, 2020

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

**This council meeting was held entirely via the Zoom video conferencing platform.
 Council members participated from their separate respective locations.**

Member Name	Title	Status	Arrived
McGee	Mayor	Present	
Matlock	Ward 1	Present	
Cart	Ward 2	Present	
Williams	Ward 3	Present	
Alcorn	Ward 4	Present	
Peoples	Ward 5	Present	
Lee	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Kristin Peeples, Jim Powell, David Orr, Garrett Baker, Robby Robertson, Lisa Thompson, Mashell Daniel, Keith Lee, and Eric Schlotter.

Legal Counsel: Jeff Lewis.

II. INVOCATION BY COUNCIL MEMBER JEAN MATLOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 12, 2020 at 6:00 p.m.
 Monday, October 26, 2020 at 6:00 p.m.
 Monday, November 9, 2020 at 6:00 p.m.
 Monday, November 23, 2020 at 6:00 p.m.

Parks & Recreation Events:

Thursday Night "Movies in the Park" - Spring Lake Park

October 15th "Trolls World Tour"
 October 22nd "Sonic the Hedgehog"

Minutes Acceptance: Minutes of Sep 28, 2020 6:00 PM (Consent Items)

October 29th “The Town that Dreaded Sundown”

****Movies will begin at dusk****

Southwest Center has reopened with limited hours of operation from 8:00 a.m. - 7:00 p.m., Monday through Friday. Meeting rooms, classes and gym activities will be limited to 15 people per session.

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

Southwest Arkansas Electric Cooperative celebrated the revealing of a new solar park just north of Hwy 71 North and the I-49 junction. The facility is named in honor of General Manager Wayne Whitaker. The panels will generate solar energy to help provide power to local members of the co-op. It is exciting to see solar energy moving forward in the community.

The Police Department held a ceremony recognizing an officer promoted to Sergeant and honoring other officers with life-saving awards. Citizens were thanked for the great turnout and support of officers and the staff.

The Mayor said at the last City Council meeting, the City Attorney advised the Council on the "conveyance in trust" document for the land on which the confederate monument sculpture sits. The conveyance document is part of the agenda packet from that meeting and is available to the public online.

The three grantees who jointly accepted that conveyance - "owners of the land on which the monument sets" as quoted from the Texarkana Gazette story on September 15 - agreed to very specific land use restrictions. These three grantees were Howell W. Runnells, as Mayor of the City of Texarkana, Texas, John P. Kline, as Mayor of the City of Texarkana, Arkansas, and Mrs. A. J. Allen, as 'President of the Daughters of the Confederacy'.

In light of requests to remove the monument, questions arise as to whether those original grantees had authority to remove the monument, and whether the City Council acting alone has such authority. The public was asked to be patient as the effort continues to peel back the 100-plus years that elapsed after this land conveyance. If a member of the public has information that would help the Council, please come forward and provide that information to City staff.

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

June Davis addressed council, on behalf of her sister and local citizen Dorothy Hervey, regarding unmanaged overgrowth at 1316 Lee Street which creates a potential breeding ground for rodents.

V. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Mayor Bruggeman reappointed Linda Larey and appointed LaMoya Burks to the Library Commission. Ms. Burks is filling the expired term previously held by John Mueller.

The Mayor proceeded with a voice vote of the City Council which confirmed the reappointment and appointment nominations.

1. Motion to accept the Mayoral reappointment and appointment to the Library Commission.

(6:15 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

VI. ITEMS FOR CONSIDERATION

Consent Items

(6:16 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Hart, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
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 September 14, 2020 at 6:00 PM.

Action Items

2. Resolution No. 2020-113 confirming the reappointment of Mr. Bob Hay to the City of Texarkana Civil Service Commission. (A 2/3 vote of the City Council is required to confirm this reappointment).

Public Hearing:

Council Vote: September 28, 2020

(6:18 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

VII. FIRST BRIEFINGS

1. Ordinance No. 2020-024 amending the Code of Ordinances, Land Development Code, Chapter 105 "Buildings and Construction", Article III "Electrical Code" by adding section 105-181, "Electric Branch Circuits Feeding Sub-panels for Separate Occupancies of Multi-tenant Structures."

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

Mashell Daniel briefed this agenda item. Keith Lee made additional comments.

RESULT:	MOVED FORWARD	Next: 10/12/2020 6:00 PM
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Public Hearing: October 12, 2020
Council Vote: October 12, 2020

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 10/12/2020 6:00 PM
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Public Hearing: October 12, 2020
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Public Hearing: October 12, 2020
Council Vote: October 12, 2020

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Public Hearing: October 12, 2020
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David Orr briefed this agenda item.

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Public Hearing: October 12, 2020
Council Vote: October 12, 2020

David Orr briefed this agenda item.

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Public Hearing: October 12, 2020
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Public Hearing: October 12, 2020

Council Vote: October 12, 2020

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD
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Next: 10/12/2020 6:00 PM

VIII. PUBLIC HEARINGS - NONE

IX. ITEMS FOR DISCUSSION

Staff Updates

City Manager Jaster said published notification of the proposed charter amendment, to appear on the November 3, 2020, ballot, is scheduled for October 14th. Early voting begins on Tuesday, October 13th and will be held through Friday, October 30th. Citizens registered to vote will have the opportunity to early vote in one of the three following locations:

EV1 Bowie County Courthouse, 710 James Bowie Drive, New Boston Texas

EV2 Southwest Center, 3222 W. 7th Street, Texarkana, Texas

EV3 Walnut Church of Christ, 2720 Moores Lane, Texarkana, Texas

Additional details and information can be found on the city's website under Government, City Council, Special Election.

X. ADMINISTRATIVE COMMENTS

1. City Council

Council had no administrative comments for staff.

2. City Staff

City Manager Jaster said beginning in October, council meetings will resume in-person at City Hall.

XI. ADJOURNMENT

A motion was made to adjourn the meeting.

(6:46 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Harp, Ward 5
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/9/2020 9:30 AM

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Subject: Resolution No. 2020-120 approving an easement for a water line across a small section of land located on property of the Texarkana Airport Authority.

Briefing: 10/12/2020 **Public Hearing:** **Council Vote:** 10/12/2020

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Texarkana Airport Authority, at its September, 3, 2020, meeting, recommended approving a request from Mr. Wendell Fett, who owns land adjacent to the airport on the North end of airport property, for an easement across a small section of airport property so that Mr. Fett may install a pipe to connect to city water utilities. Texarkana Water Utilities recommended that Mr. Fett obtain an easement prior to making any connection. The proposed easement location crosses an extreme corner of airport property and will not interfere with airport operations. The Board of Directors of the City of Texarkana, Arkansas, passed and approved the Authority's request on October 5, 2020.

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval of the easement form attached to the resolution.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

City of Texarkana, Texas

NOT APPLICABLE

Attachments

- a. 2020-120 RES Airport water line easement REVISED (DOCX)
- b. 2020-120 EXH 1 Utility Easement Agrmt (PDF)
- c. 2020-120 ATTH 01 Water Easement Request (TX) (DOC)
- d. 2020-120 ATTH 02 ARKBOD airport easement (PDF)
- e. 2020-120 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	
	10/09/2020 9:29 AM			
City Attorney	Jeffery C. Lewis	Review	Completed	10/09/2020
9:36 AM				
City Manager	Shirley Jaster	City Manager Review	Completed	10/09/2020
9:39 AM				
City Council	Vicky Coopwood	Meeting	Pending	10/12/2020
6:00 PM				

Meeting History

RESOLUTION NO. 2020 - 120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN EASEMENT FOR A WATER LINE ACROSS A SMALL SECTION OF LAND LOCATED ON PROPERTY OF THE TEXARKANA AIRPORT AUTHORITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Arkansas, and Texarkana, Texas, created the Texarkana Airport Authority by means of reciprocal ordinances codified in Chapter 6 – Aviation, Article II – Texarkana Airport Authority, of the Code of Ordinances of the City of Texarkana, Arkansas, and Chapter 4 – Airports, Article II – Airport Authority, of the Code of Ordinances of the City of Texarkana; and

WHEREAS, the Texarkana Airport Authority has requested that the Cities authorize an easement across airport property, in the form attached as **Exhibit “1”**, so that a citizen who owns land adjacent to the airport may connect to water utilities by means of a pipe crossing a short section of the airport property; and

WHEREAS, the proposed easement location crosses an extreme corner of airport property and will not interfere with airport operations; and

WHEREAS, the Board of Directors of the City of Texarkana, Arkansas, on October 5, 2020, approved the requested easement; and

WHEREAS, the City Council of the City of Texarkana, Texas, desires to provide the same approval to provide for the easement across airport property as set out in **Exhibit “1”** to this resolution.

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

SECTION 1: The City Council, pursuant to Section 4-25 of the Code of Ordinances of the City of Texarkana, approves the “Temporary Construction and Permanent Utility Easement Agreement” in the form attached as **Exhibit “1”**.

SECTION 2: 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 **12th day of October, 2020**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2020-120 RES Airport water line easement REVISED (2383 : 2020-120 RES airport water line easement)

TEMPORARY CONSTRUCTION AND PERMANENT UTILITY EASEMENT AGREEMENT

This temporary Construction and Permanent Utility Easement Agreement (the "Agreement") is entered into by and between Texarkana Regional Airport Authority, ("Grantor"); and Wendell Feitt, ("Grantee").

RECITALS

- A. Grantor owns of record certain real property located in Miller County, Arkansas and legally described on the attached and incorporated Exhibit A ("Grantor's Property").
 - B. Grantee owns of record certain real property adjacent to Grantor's Property also located in Miller County, Arkansas and legally described on the attached and incorporated Exhibit B ("Grantee's Property") which Grantee intends to improve by connecting to City Water Utilities. Grantor's Property and Grantee's Property are sometimes referred to in this Agreement collectively as the "Property".
- B. THEREFORE, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Grant of Easements

1.1 Utility Easement. Grantor for themselves and for their successors and assigns, hereby convey and grant to Grantee, its successors and assigns, a permanent, non-exclusive easement (the "Utility Easement") over, under, in, along, across and upon the property described on the attached and incorporated Exhibit C (the "Utility Easement Area") solely for the lawful construction, installation, maintenance, operation, repair, replacement and use of underground sanitary sewer pipe and related underground sanitary sewer facilities, underground water pipes and other utilities, including junction boxes and related equipment (the "Improvements"), and for the access to the Utility Easement Area is depicted generally on the attached and ~~incorporated~~ incorporated Exhibit C.

1.2 Temporary Construction Easement. Grantor for themselves and for their successors and assigns, hereby convey and grant to Grantee, its successors and assigns, a permanent, non-exclusive easement (the "Temporary Construction Easement") over, under, in, along, across and upon the property described on the attached and incorporated Exhibit C (the "Utility Easement Area") for use in the initial construction and installation of the improvements and other construction purposes reasonably related to the initial construction of the improvements. Prior to commencement of the Temporary Construction Easement, Grantee shall have access to the Property during normal business hours to conduct all studies, tests, examinations and surveys necessary to design and construct the improvements. The Temporary Construction Easement is depicted generally on the attached and incorporated Exhibit C.

2 Terms of Easements.

2.1 Utility Easement. The Utility Easement shall commence on the effective date of this Agreement and shall run with the land and continue in full force and effect until Grantee has abandoned the Improvements, as the term “abandonment” is defined in Section 5.7 below, or until the Utility Easement Areas has been dedicated to the City of Texarkana Water Utilities and/or such other governing jurisdiction as may request or require such dedication in connection with Grantee’s development of the Property Grantor agree to execute such documents as either grantee or any such governing jurisdiction may deem necessary or desirable in connection with the installation of the improvements or in connection with any such dedication, provided however, that Grantee agrees to construct the improvements in a manner which will make the same accessible to Grantor’s Property.

2.2 Temporary Construction Easement. The Temporary Construction Easement shall commence on the effective date of the Agreement and shall automatically terminate and expire upon (I) the date construction of the Improvements are completed, or (II) 6 months from effective date, whichever date shall first occur. Upon the expiration of the term of the Temporary Construction Easement, all of the rights and benefits of Grantee in, to and under this Agreement with respect to the Temporary Construction Easement shall automatically terminate and be of no further force and effect.

3 Reservation by Grantor/Non-Exclusive Use. All right, title and interest in and to any easement area under this Agreement which may be used and enjoyed without interfering with the rights conveyed by the Agreement are reserved to Grantor, provided, however, that Grantor shall not enact or maintain any buildings which may cause damage to or interfere with the improvements to be placed within the Utility Easement Area; or develop, landscape, or beautify any easement area in any way which would unreasonably or materially increase the costs to Grantee of installing the Improvements or restoring any of the Easement Areas after such installation.

4 Construction of Utility Improvements.

4.1 Costs/Lien-Free Construction. Grantee shall bear and promptly pay without the imposition of any lien or charge on or against all or any portion of Grantor Property all costs and expenses of construction and maintenance of the improvements, including the installation of up to two connections for Grantor’s use and the exercise of any easement rights granted under this Agreement.

4.2 Compliance with Laws. Grantee shall construct the improvements in a workmanlike manner and in compliance with the applicable statutes, ordinances, rules and regulations of all governing public authorities as those statutes, ordinances, rules and regulations are amended from time to time.

4.3 Restoration. In the event the surface of any easement area is disturbed by Grantee's exercise of any of its easement rights under this Agreement, such area shall be restored to the condition in which it existed at the commencement of such activities.

5 General Provisions.

5.1 Covenants Running with the Land/Assignment. The parties to this Agreement acknowledge and agree that the easements and other rights conferred by this Agreement are intended to, and do, constitute covenants that run with the land and shall inure to the benefit of and be binding upon the parties and their respective grantees, heirs, successors and assigns. Without limiting the foregoing, Grantor acknowledge that Grantee's rights under this Agreement are assignable; that Grantee may enter into agreements to sell or otherwise may transfer Grantee's Property, either to affiliates of Grantee or to third parties, and that Grantor hereby consent to Grantee's assignment of all of its right, title and interest and its delegation of all of its obligations created under this Agreement upon any such the sale or transfer and, upon any such assignment, Grantee shall be forever released and discharged from any and all claims, demands and damages which Grantor may have, make or suffer as a result of anything done or occurring after the date of such assignment. Nothing contained in this Section 5.1, however, shall in any way be construed as releasing Grantee's successors and assigns from any obligations to Grantee created by this Agreement or to in any way limit Grantor's remedies at law or in equity as against such successors and assigns.

5.2 Effective Date. This Agreement shall be effective upon the date it is executed by an authorized representative of each signing party.

5.3 Authorized Representative. Each individual signing on behalf of a party to this Agreement states that he or she is the duly authorized representative of the signing party and this his or her signature on this Agreement has been duly authorized by, and creates the binding and enforceable obligation of, the party on whose behalf the representative is signing.

5.4 Notices. Any notice permitted or required by this Agreement shall be deemed received, is delivered, when actually received, or, if mailed, on the third day after mailing by registered or certified mail, postage prepaid, to the party's address set forth below their respective signatures to this Agreement, or to such other address designated in writing to the other parties.

5.5 Attorney's Fees. In the event of any dispute between the parties regarding the enforcement of effect of this Agreement, including one subject to arbitration, the non-prevailing party in any such dispute shall pay the prevailing party's reasonable attorney's fees and costs incurred. In the event of arbitration, the fees of the arbitrator and the cost of the arbitration shall be paid by the non-prevailing party. In the event that neither party wholly prevails, the court or arbitrator, as applicable, may apportion the costs or fees as the court or arbitrator deems appropriate.

5.6 Plan. Upon Grantor request, Grantee shall provide Grantor with as-built drawings and a survey showing the location and depth of the improvements installed in the Utility Easement Area.

5.7 Abandonment. In the event Grantee or its successors and assigns abandon or terminate their use of all of the improvements for a period of thirty-six (36) consecutive months, this Agreement and all easement rights granted there under shall terminate.

5.8 Further Cooperation. Each of the signatures to this Agreement agree to execute such other documents and to perform such other acts as may be reasonably necessary or desirable to further the expressed and intent purpose of this agreement.

IN WITNESS of this, the undersigned have executed this Agreement as of this _____ day of _____, 2020.

GRANTOR:

TEXARKANA AIRPORT AUTHORITY

BY _____
Ray Abernathy, Chairman

Date: _____

ATTEST:

TEXARKANA AIRPORT AUTHORITY

BY _____
Ferdinand Mehrlich, Airport Director

Date: _____

GRANTEE:

BY _____
Wendell Feitt

Date: _____

ATTEST:

TEXARKANA AIRPORT AUTHORITY

BY _____
Shannon Elliott, Finance Director

Date: _____

Attachment: 2020-120 EXH 1 Utility Easement Agrmt (2383 : 2020-120 RES airport water line easement)

STATE OF ARKANSAS)

ACKNOWLEDGEMENT

COUNTY OF MILLER)

On this the _____ day of _____, 2020, personally appeared before me the undersigned Notary Public, the within named RAY ABERNATHY, CHAIRMAN TEXARKANA AIRPORT AUTHORITY, well known to me to be the person and officer of the Joint Board of the Texarkana Airport Authority, whose name is subscribed to the within instrument and acknowledged to me that they has executed for the purpose and consideration therein mentioned and set forth and in the capacity therein stated.

WITNESS my hand and official seal this _____ day of _____, 2020.

Notary Public,

County Miller

Printed Name:

(SEAL)

My Commission Expires:

Exhibit A - Grantor's Property

Attachment: 2020-120 EXH 1 Utility Easement Agrmt (2383 : 2020-120 RES airport water line easement)

Exhibit B - Grantee's Property

Attachment: 2020-120 EXH 1 Utility Easement Agrmt (2383 : 2020-120 RES airport water line easement)

Exhibit C - Utility Easement Area



Attachment: 2020-120 EXH 1 Utility Easement Agrmt (2383 : 2020-120 RES airport water line easement)

3 Sep 2020

Memorandum For: Mrs. Shirley Jaster, CM
City of Texarkana, Texas

Subject: Airport Utilities Easement Request

Dear Mrs. Jaster:

On behalf of the Airport Authority, I request the Texarkana, Texas, City Council approve an easement for a water line across a small track of land located on Texarkana Regional Airport. City Ordinances state, *"No property entrusted to the (Airport) Authority shall be sold, transferred or in any manner encumbered without the written consent of the governing bodies of said cities."*

At its 3 Sep, 2020 meeting, the Authority recommended approving a request from a citizen named Mr. Wendell Fett who owns land on the North end of Texarkana Regional Airport (Exhibit A). Mr. Fett is attempting to connect to the city water utilities, however in order to do so requires the pipe to cross a short section of the Texarkana Regional Airport property. The Texarkana Water Utilities is requesting that Mr. Fett obtain an easement prior to fulfilling this request.

Please place this request on the consent agenda for the earliest possible meeting of the City Council. We are available to answer any questions you or your staff may have.

Respectfully,

Ferdinand Paul Mehrlich III, C.M. ACE
Airport Executive Director

1 Atch.

1. Easement Agreement

Attachment: 2020-120 ATTH 01 Water Easement Request (TX) (2383 : 2020-120 RES airport water line easement)



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution approving an easement for a water line across a small track of land located on the Texarkana Regional Airport. (Airport)
AGENDA DATE:	October 5, 2020
ITEM TYPE:	Ordinance ☐ Resolution ☒ Other ☐ : _____
DEPARTMENT:	Airport
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Approval of an easement for a water line across a small track of land located on Texarkana Regional Airport.
EMERGENCY CLAUSE:	None Needed
SUMMARY:	At its 3 September, 2020 meeting, the Authority recommended approving a request from a citizen named Mr. Wendell Fett who owns land on the North end of Texarkana Regional Airport (Exhibit A). Mr. Fett is attempting to connect to the city water utilities, however in order to do so requires the pipe to cross a short section of the Texarkana Regional Airport property. The Texarkana Water Utilities is requesting that Mr. Fett obtain an easement prior to fulfilling this request.
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Manager and Staff recommend approval
EXHIBITS:	Resolution, Water Easement Request, and Water Easement Agreement

Attachment: 2020-120 ATTH 02 ARKBOD airport easement (2383 : 2020-120 RES airport water line easement)

RESOLUTION NO. _____

WHEREAS, a property owner adjacent to property owned by the Texarkana Airport Authority requests that the Authority grant an easement to allow for and facilitate installation of a connection to city water utilities; and

WHEREAS, the Authority approved such request, subject to approval of the cities of Texarkana, Arkansas, and Texarkana, Texas; and

WHEREAS, the proposed easement location crosses an extreme corner of Authority property and will not interfere with Authority opportunities; and

WHEREAS, accordingly in accordance with Section 6-31 of the *City of Texarkana, Arkansas, Code of Ordinances*, Texarkana Airport Authority requests the Board of Directors to authorize the grant of the easement; and

WHEREAS, the Texarkana Airport Authority, City Manager and Staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the grant of the easement contemplated above, the form of which is attached hereto, is approved.

PASSED AND APPROVED this 5th day of October, 2020.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

Attachment: 2020-120 ATTH 02 ARKBOD airport easement (2383 : 2020-120 RES airport water line easement)

3 Sep 2020

Memorandum For: Dr. Kenny Haskin, CM
City of Texarkana, Arkansas

Subject: Airport Utilities Easement Request

Dear Dr. Haskin:

On behalf of the Airport Authority, I request the Texarkana Arkansas Board of Directors approve an easement for a water line across a small track of land located on Texarkana Regional Airport. City Ordinances state, *"No property entrusted to the (Airport) Authority shall be sold, transferred or in any manner encumbered without the written consent of the governing bodies of said cities."*

At its 3 Sep, 2020 meeting, the Authority recommended approving a request from a citizen named Mr. Wendell Fett who owns land on the North end of Texarkana Regional Airport (Exhibit A). Mr. Fett is attempting to connect to the city water utilities, however in order to do so requires the pipe to cross a short section of the Texarkana Regional Airport property. The Texarkana Water Utilities is requesting that Mr. Fett obtain an easement prior to fulfilling this request.

Please place this request on the consent agenda for the earliest possible meeting of the City Board of Directors. We are available to answer any questions you or your staff may have.

Respectfully,

Ferdinand Paul Mehrlich III, C.M. ACE
Airport Executive Director

1 Atch.

1. Easement Agreement

Attachment: 2020-120 ATTH 02 ARKBOD airport easement (2383 : 2020-120 RES airport water line easement)

TEMPORARY CONSTRUCTION AND PERMANENT UTILITY EASEMENT AGREEMENT

This temporary Construction and Permanent Utility Easement Agreement (the "Agreement") is entered into by and between Texarkana Regional Airport Authority, ("Grantor"); and Wendell Feitt, ("Grantee").

RECITALS

- A. Grantor owns of record certain real property located in Miller County, Arkansas and legally described on the attached and incorporated Exhibit A ("Grantor's Property").
 - B. Grantee owns of record certain real property adjacent to Grantor's Property also located in Miller County, Arkansas and legally described on the attached and incorporated Exhibit B ("Grantee's Property") which Grantee intends to improve by connecting to City Water Utilities. Grantor's Property and Grantee's Property are sometimes referred to in this Agreement collectively as the "Property".
- B. THEREFORE, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Grant of Easements

1.1 Utility Easement. Grantor for themselves and for their successors and assigns, hereby convey and grant to Grantee, its successors and assigns, a permanent, non-exclusive easement (the "Utility Easement") over, under, in, along, across and upon the property described on the attached and incorporated Exhibit C (the "Utility Easement Area") solely for the lawful construction, installation, maintenance, operation, repair, replacement and use of underground sanitary sewer pipe and related underground sanitary sewer facilities, underground water pipes and other utilities, including junction boxes and related equipment (the "Improvements"), and for the access to the Utility Easement Area is depicted generally on the attached and ~~incorporated~~ incorporated Exhibit C.

1.2 Temporary Construction Easement. Grantor for themselves and for their successors and assigns, hereby convey and grant to Grantee, its successors and assigns, a permanent, non-exclusive easement (the "Temporary Construction Easement") over, under, in, along, across and upon the property described on the attached and incorporated Exhibit C (the "Utility Easement Area") for use in the initial construction and installation of the improvements and other construction purposes reasonably related to the initial construction of the improvements. Prior to commencement of the Temporary Construction Easement, Grantee shall have access to the Property during normal business hours to conduct all studies, tests, examinations and surveys necessary to design and construct the improvements. The Temporary Construction Easement is depicted generally on the attached and incorporated Exhibit C.

2 Terms of Easements.

2.1 Utility Easement. The Utility Easement shall commence on the effective date of this Agreement and shall run with the land and continue in full force and effect until Grantee has abandoned the Improvements, as the term “abandonment” is defined in Section 5.7 below, or until the Utility Easement Areas has been dedicated to the City of Texarkana Water Utilities and/or such other governing jurisdiction as may request or require such dedication in connection with Grantee’s development of the Property Grantor agree to execute such documents as either grantee or any such governing jurisdiction may deem necessary or desirable in connection with the installation of the improvements or in connection with any such dedication, provided however, that Grantee agrees to construct the improvements in a manner which will make the same accessible to Grantor’s Property.

2.2 Temporary Construction Easement. The Temporary Construction Easement shall commence on the effective date of the Agreement and shall automatically terminate and expire upon (I) the date construction of the Improvements are completed, or (II) 6 months from effective date, whichever date shall first occur. Upon the expiration of the term of the Temporary Construction Easement, all of the rights and benefits of Grantee in, to and under this Agreement with respect to the Temporary Construction Easement shall automatically terminate and be of no further force and effect.

3 Reservation by Grantor/Non-Exclusive Use. All right, title and interest in and to any easement area under this Agreement which may be used and enjoyed without interfering with the rights conveyed by the Agreement are reserved to Grantor, provided, however, that Grantor shall not enact or maintain any buildings which may cause damage to or interfere with the improvements to be placed within the Utility Easement Area; or develop, landscape, or beautify any easement area in any way which would unreasonably or materially increase the costs to Grantee of installing the Improvements or restoring any of the Easement Areas after such installation.

4 Construction of Utility Improvements.

4.1 Costs/Lien-Free Construction. Grantee shall bear and promptly pay without the imposition of any lien or charge on or against all or any portion of Grantor Property all costs and expenses of construction and maintenance of the improvements, including the installation of up to two connections for Grantor’s use and the exercise of any easement rights granted under this Agreement.

4.2 Compliance with Laws. Grantee shall construct the improvements in a workmanlike manner and in compliance with the applicable statutes, ordinances, rules and regulations of all governing public authorities as those statutes, ordinances, rules and regulations are amended from time to time.

4.3 Restoration. In the event the surface of any easement area is disturbed by Grantee's exercise of any of its easement rights under this Agreement, such area shall be restored to the condition in which it existed at the commencement of such activities.

5 General Provisions.

5.1 Covenants Running with the Land/Assignment. The parties to this Agreement acknowledge and agree that the easements and other rights conferred by this Agreement are intended to, and do, constitute covenants that run with the land and shall inure to the benefit of and be binding upon the parties and their respective grantees, heirs, successors and assigns. Without limiting the foregoing, Grantor acknowledge that Grantee's rights under this Agreement are assignable; that Grantee may enter into agreements to sell or otherwise may transfer Grantee's Property, either to affiliates of Grantee or to third parties, and that Grantor hereby consent to Grantee's assignment of all of its right, title and interest and its delegation of all of its obligations created under this Agreement upon any such the sale or transfer and, upon any such assignment, Grantee shall be forever released and discharged from any and all claims, demands and damages which Grantor may have, make or suffer as a result of anything done or occurring after the date of such assignment. Nothing contained in this Section 5.1, however, shall in any way be construed as releasing Grantee's successors and assigns from any obligations to Grantee created by this Agreement or to in any way limit Grantor's remedies at law or in equity as against such successors and assigns.

5.2 Effective Date. This Agreement shall be effective upon the date it is executed by an authorized representative of each signing party.

5.3 Authorized Representative. Each individual signing on behalf of a party to this Agreement states that he or she is the duly authorized representative of the signing party and this his or her signature on this Agreement has been duly authorized by, and creates the binding and enforceable obligation of, the party on whose behalf the representative is signing.

5.4 Notices. Any notice permitted or required by this Agreement shall be deemed received, is delivered, when actually received, or, if mailed, on the third day after mailing by registered or certified mail, postage prepaid, to the party's address set forth below their respective signatures to this Agreement, or to such other address designated in writing to the other parties.

5.5 Attorney's Fees. In the event of any dispute between the parties regarding the enforcement of effect of this Agreement, including one subject to arbitration, the non-prevailing party in any such dispute shall pay the prevailing party's reasonable attorney's fees and costs incurred. In the event of arbitration, the fees of the arbitrator and the cost of the arbitration shall be paid by the non-prevailing party. In the event that neither party wholly prevails, the court or arbitrator, as applicable, may apportion the costs or fees as the court or arbitrator deems appropriate.

5.6 Plan. Upon Grantor request, Grantee shall provide Grantor with as-built drawings and a survey showing the location and depth of the improvements installed in the Utility Easement Area.

5.7 Abandonment. In the event Grantee or its successors and assigns abandon or terminate their use of all of the improvements for a period of thirty-six (36) consecutive months, this Agreement and all easement rights granted there under shall terminate.

5.8 Further Cooperation. Each of the signatures to this Agreement agree to execute such other documents and to perform such other acts as may be reasonably necessary or desirable to further the expressed and intent purpose of this agreement.

IN WITNESS of this, the undersigned have executed this Agreement as of this _____ day of _____, 2020.

GRANTOR:

TEXARKANA AIRPORT AUTHORITY

BY _____
Ray Abernathy, Chairman

Date: _____

ATTEST:

TEXARKANA AIRPORT AUTHORITY

BY _____
Ferdinand Mehrlich, Airport Director

Date: _____

GRANTEE:

BY _____
Wendell Feitt

Date: _____

ATTEST:

TEXARKANA AIRPORT AUTHORITY

BY _____
Shannon Elliott, Finance Director

Date: _____

STATE OF ARKANSAS)

ACKNOWLEDGEMENT

COUNTY OF MILLER)

On this the _____ day of _____, 2020, personally appeared before me the undersigned Notary Public, the within named RAY ABERNATHY, CHAIRMAN TEXARKANA AIRPORT AUTHORITY, well known to me to be the person and officer of the Joint Board of the Texarkana Airport Authority, whose name is subscribed to the within instrument and acknowledged to me that they has executed for the purpose and consideration therein mentioned and set forth and in the capacity therein stated.

WITNESS my hand and official seal this _____ day of _____, 2020.

Notary Public,

County Miller

Printed Name:

(SEAL)

My Commission Expires:

Attachment: 2020-120 ATTH 02 ARKBOD airport easement (2383 : 2020-120 RES airport water line easement)

Exhibit A - Grantor's Property



Attachment: 2020-120 ATTH 02 ARKBOD airport easement (2383 : 2020-120 RES airport water line easement)

Exhibit B - Grantee's Property

Attachment: 2020-120 ATTH 02 ARKBOD airport easement (2383 : 2020-120 RES airport water line easement)

Exhibit C - Utility Easement Area



Attachment: 2020-120 ATTH 02 ARKBOD airport easement (2383 : 2020-120 RES airport water line easement)

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: No Additional

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:

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/25/2020 10:36 AM

Lead Department: Building Code Administration **Action Officer:** Mashell Daniel
Subject: Ordinance No. 2020-024 amending the Code of Ordinances, Land Development Code, Chapter 105 "Buildings and Construction", Article III "Electrical Code" by adding section 105-181, "Electric Branch Circuits Feeding Sub-panels for Separate Occupancies of Multi-tenant Structures."

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The city has experienced multiple cases where a fire in one occupancy of a multi-occupancy structure would cause one or more other occupancies to be without electrical service because the "feeders" that feed their electric subpanel run through the fire affected area. Even though there might have been a firewall between the two occupancies, residents are still unable to stay in their home, or a business is closed because they have no electricity.

Article 230.3 states, "Service conductors supplying a building or other structure shall not pass through the interior of another building or other structure."

In the past, this article had been interpreted to include fused conductors running from the point of service of a multi-family or multi-tenant structure to the individual occupancies throughout the structure. A recent Texas Department of Licensing and Regulation (TDLR) interpretation of this article considers the conductors from the service to the subpanel to be "feeders" of a "branch circuit" and thus not subject to the requirements of 230.3.

The proposed updated ordinance will require separate electrical feeders for each electric panel protected by a two-hour firewall for each unit. It will allow a home or business to still have electricity in the case of a fire in a multi-occupancy structure. It will also align with the goal of code revisions to prevent death, injury, or loss of property or revenue.

Potential Options:

- Approve Addition of Ordinance
- Disapprove Addition of Ordinance

Fiscal Implications:

None

City of Texarkana, Texas

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

The Building & Standards Commission

Board/Committee Recommendation:

The Building & Standards Commission unanimously approved the addition of this ordinance.

Advisory Board/Committee Meeting Date and Minutes:

September 15, 2020

(will insert minutes when received)

Attachments

- a. 2020-024 ORD Elec Branch Circuits Feeding Subpanels (jcl rev) (DOCX)
- b. 2020-024 ATTH 01 Service Conductors & Branch Circuits (PDF)
- c. 2020-024 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Department Head Review
Completed	09/21/2020 4:46 PM	
Municipal Prosecutor Deborah Jones	Asst. City Attorney Review	Completed
	09/22/2020 11:55 AM	
City Attorney Jeffery C. Lewis	City Attorney Review Completed	09/22/2020
2:10 PM		
City Manager Shirley Jaster	City Manager Review Completed	09/25/2020
11:15 AM		
City Council Jennifer Evans	Meeting Completed	09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
 Mashell Daniel briefed this agenda item. Keith Lee made additional comments.

PUBLISH

ORDINANCE NO. 2020 – 024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 105 “BUILDINGS AND CONSTRUCTION”, ARTICLE III “ELECTRICAL CODE” OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, BY ADDING SECTION 105-181, “ELECTRIC BRANCH CIRCUITS FEEDING SUBPANELS FOR SEPARATE OCCUPANCIES OF MULTI-TENANT STRUCTURES”; PROVIDING FOR PUBLICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the “Electrical Code” contained in Chapter 105 of the Land Development Code adopts the National Electrical Code, 2014 edition; and

WHEREAS, Section 230.3 of the National Electrical Code provides that “service conductors supplying a building or other structure shall not pass through the interior of another building or other structure”; and

WHEREAS, City staff recommends adding the safety requirements of section 230.3 of the National Electrical Code to the City’s Land Development Code to apply to electric branch circuits supplying subpanels from a point of service for individual occupants in a multi-family or multi-tenant structure.

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

SECTION 1: Chapter 105, “Buildings and Construction”, Article III, “Electrical Code”, of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add the following Section 105-181:

Section 105-181. - Electric Branch Circuits Feeding Subpanels for Separate Occupancies.

Electric branch circuits supplying subpanels from a point of service for individual occupants in a multi-tenant structure shall comply with the requirements of Section 230.3 of the 2014 National Electrical Code.

SECTION 2: 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 3: 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: 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 12th day of October, 2020.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

(E) Identification. Where a building or structure is supplied by more than one service, or any combination of branch circuits, feeders, and services, a permanent plaque or directory shall be installed at each service disconnect location denoting all other services, feeders, and branch circuits supplying that building or structure and the area served by each. See 225.37.

The permanent plaque or directory must indicate where the other disconnects that feed the building are located, as illustrated in Exhibit 230.1. All the other services on or in the building or structure and the area served by each must also be noted on the plaques or directories. The plaques or directories must be of sufficient durability to withstand the environment in which the service disconnecting means is installed. It must be able to convey its information for as long as the service at which it has been installed is operational. See the commentary following 225.37 for further information on identification of multiple supply sources to a building or structure.

Exhibits 230.2 through 230.13 illustrate examples of service configurations permitted by 230.2(B) and (C); 230.40, Exceptions No. 1 and No. 2; 230.71; and 230.72. The exhibits depict a number of service arrangements where more than a single service is – or where multiple sets of service-entrance conductors are – used to supply buildings with one or more than one occupancy. Other service arrangements not depicted in these illustrations are acceptable under 230.2(A) through (D). The exhibits also illustrate the 230.71(A) requirement that not more than six service disconnecting means be grouped in one location; defining and determining this “one location” is a matter for the AHJ.

Additionally, a building may be supplied by a service and also by a feeder. This commonly occurs where the building is supplied with emergency, legally required standby, and/or optional standby power. Such installations are subject to the requirements of this article as well as Articles 225, 700, 701, and 702 as applicable.

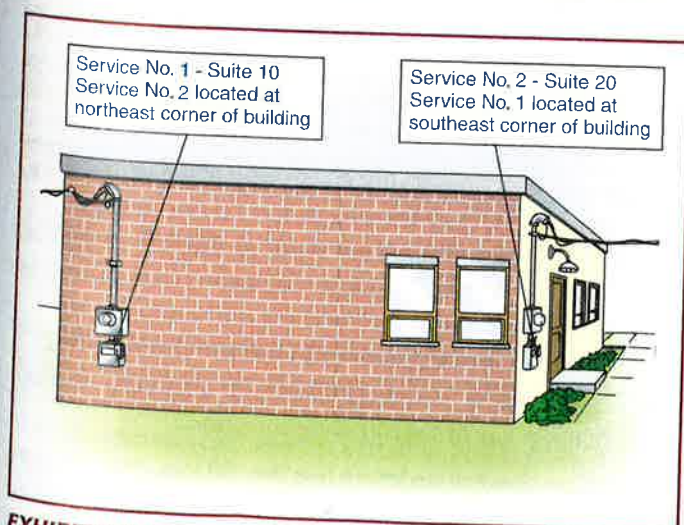
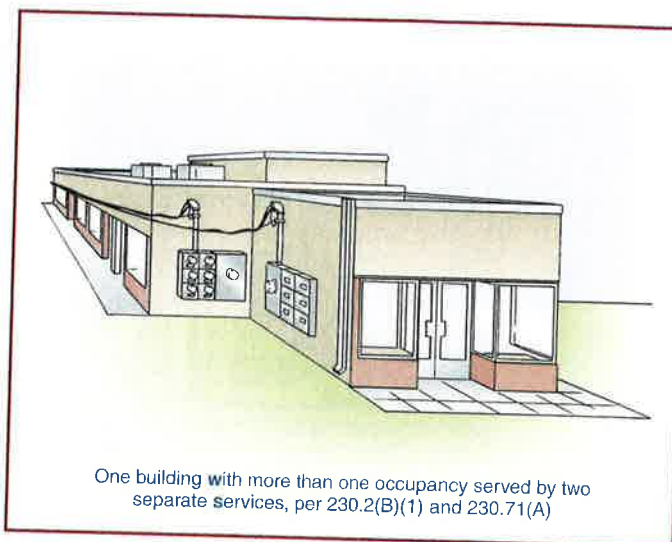
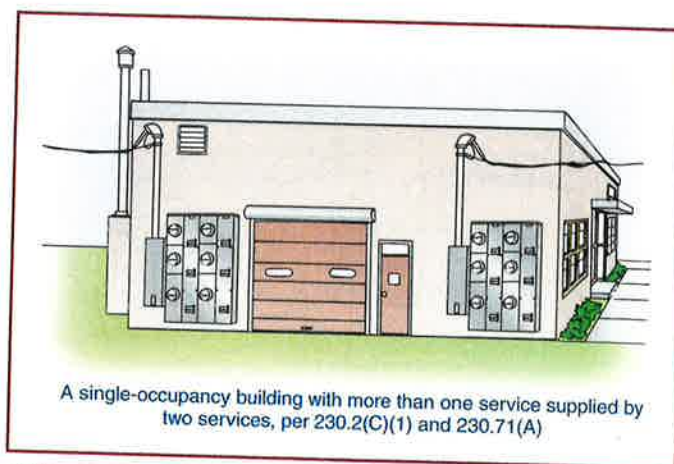


EXHIBIT 230.1 An example of two separate services installed at one building with permanent plaques or directories at each service disconnecting means location containing information describing all other services and the area served by each.



One building with more than one occupancy served by two separate services, per 230.2(B)(1) and 230.71(A)

EXHIBIT 230.2 Two service drops or two sets of overhead service conductors supplying two services, installed at separate locations for a building where there is no available space for service equipment accessible to all occupants.



A single-occupancy building with more than one service supplied by two services, per 230.2(C)(1) and 230.71(A)

EXHIBIT 230.3 Two service drops or two sets of overhead service conductors supplying two services, installed at separate locations for a building with capacity requirements exceeding 2000 amperes.

230.3 One Building or Other Structure Not to Be Supplied Through Another

Service conductors supplying a building or other structure shall not pass through the interior of another building or other structure.

Although service conductors that supply one building or structure are prohibited from being run through the interior of another building or structure, service conductors are permitted to be installed along the exterior of one building to supply another building. Each building served in this manner is required to be provided with a disconnecting means for all ungrounded conductors, in accordance with Part VI.

230.6

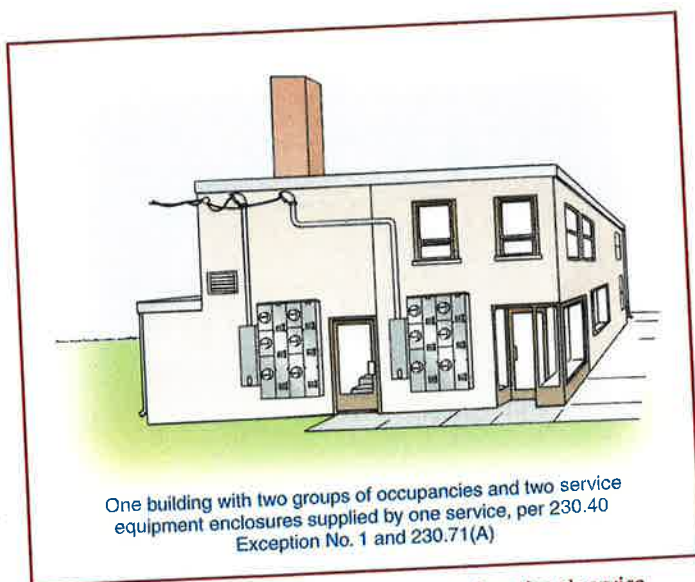


EXHIBIT 230.4 One service drop or one set of overhead service conductors supplying two service equipment enclosures installed at separate locations.

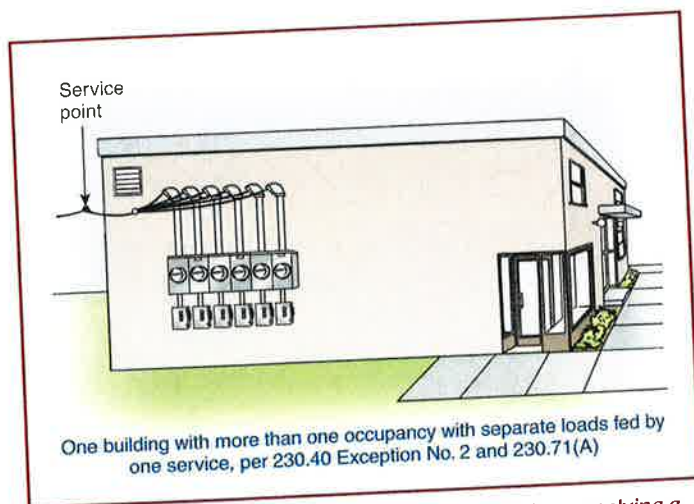


EXHIBIT 230.5 One set of overhead service conductors supplying a maximum of six separate service disconnecting means enclosures.

For example, in Exhibit 230.14, the service disconnecting means shown for Building No. 1 and Building No. 2 are located on the exterior walls. A disconnecting means suitable for use as service equipment is provided for each building. The prohibition against passing through one building en route to another applies only to service conductors. It does not prohibit feeders or branch-circuit conductors from running through the interior of a building, exiting that building, and continuing on to supply a separate building or structure. A significant difference between service conductors and feeder and branch-circuit conductors is that the feeders and branch circuits are generally provided with overcurrent protection at the point they receive their supply unless otherwise permitted by 240.21.

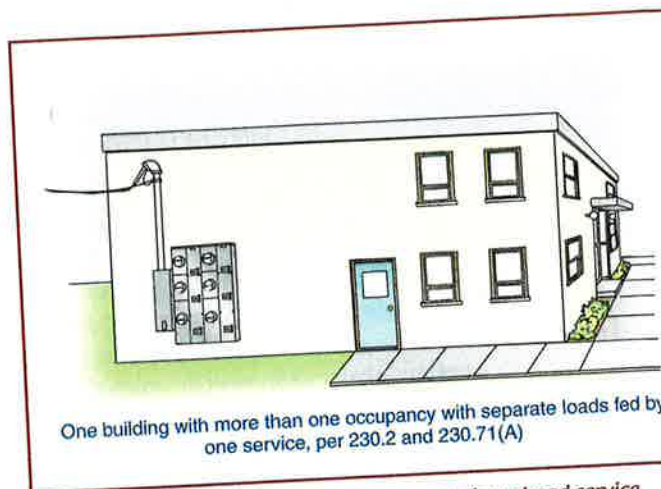


EXHIBIT 230.6 One service drop or one set of overhead service conductors supplying a single service equipment enclosure. (Optional arrangement to Exhibit 230.5.)

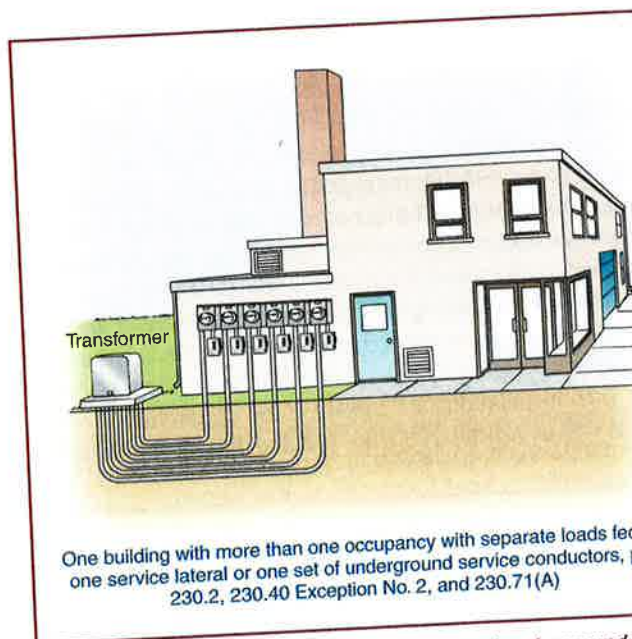


EXHIBIT 230.7 One service lateral or one set of underground conductors consisting of six sets of conductors 1/0 AWG or larger (connected together at their supply end), terminating in six separate service equipment enclosures.

230.6 Conductors Considered Outside the Building

Conductors shall be considered outside of a building structure under any of the following conditions:

- (1) Where installed under not less than 50 mm (2 in.) concrete beneath a building or other structure
- (2) Where installed within a building or other structure in a raceway that is encased in concrete or brick not 50 mm (2 in.) thick

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: No Additional

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:

City of Texarkana, Texas

Version: A

Update Date: 9/18/2020 1:40 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-098 rezoning an approximate 1.254-acre tract of land in the R.E. Sevey HRS, A-523, located at 2725 Page Street. Single Family-2 to Single Family-3. Alisha and Jeffrey Greene, applicants.
Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

This is a request by Alisha Greene and Jeffrey O. Greene, owners, to rezone an approximate 1.254-acre tract of land in the R. E. Sevey HRS, A-523, located at 2725 Page Street from Single Family-2 to Single Family-3. This property is currently vacant land.

The adjacent zoning is Single Family-2 to the north, south, east and west. The adjacent land use is residences to the north and east, a manufactured home to the west and a vacant wooded lot to the south.

The Future Land Use Map designates this area as "Suburban Residential".

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

There are other manufactured homes located in this immediate area. HUD code double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could also be a revitalization housing alternative to traditional site-built homes. Therefore, staff recommends for approval of this request.

The applicants 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.

Executive Summary and Background Information:

None

Fiscal Implications:

City of Texarkana, Texas

Not applicable

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-098 ORD rezoning at 2725 Page St (DOCX)
- b. 2020-098 EXH "A" (legal description) (PDF)
- c. 2020-098 ATTH 01 (maps) (PDF)
- d. 2020-098 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:02 PM	
City Manager Shirley Jaster	City Manager Review Completed	09/23/2020
11:36 AM		
City Council Jennifer Evans	Meeting Completed	09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

ORDINANCE NO. 2020-098

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING AN APPROXIMATE 1.254-ACRE TRACT OF LAND IN THE R.E. SEVEY HRS, A-523, LOCATED AT 2725 PAGE STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; 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 **an approximate 1.254-acre tract of land in the R. E. Sevey HRS, A-523 (Exhibit 'A'), located at 2725 Page Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Single Family-3 on an approximate 1.254-acre tract of land in the R. E. Sevey HRS, A-523 (Exhibit 'A'), located at 2725 Page Street** 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 rezoning the property from **Single Family-2 to Single Family-3** 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 and is hereby further amended to rezone **an approximate 1.254-acre tract of land in the R. E. Sevey HRS, A-523 (Exhibit 'A'), located at 2725 Page Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**.

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 **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

LEGAL DESCRIPTION

Z-20-14

All that certain lot, tract or parcel of land being a part of the R. E. SEVEY HEADRIGHT SURVEY, Abstract No. 523, in Bowie County, Texas, and being a part of the 1.6 acre tract conveyed to W. P. Bodine and wife, Edith Bodine, by Deed dated June 17, 1948 and recorded in Volume 314, Page 32 of the Deed Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin in the North line of said 1.6 acre tract, same being North, 89 deg. 02 min. 01 sec. West, 50.0 feet from the Northeast corner of said 1.6 acre tract, said POINT OF BEGINNING being the Northwest corner of a tract of land conveyed by Bodine to Latham and described in Deed recorded in Volume 357, Page 404-405 of the Deed Records of Bowie County, Texas;

THENCE South, 00 deg. 18 min. 37 sec. West with the West line of said Latham tract, 280.00 feet to an iron pipe;

THENCE North, 89 deg. 02 min. 01 sec. West, 118.00 feet to an iron pipe;

THENCE North, 00 deg. 18 min. 37 sec. East, 32.00 feet to an iron pipe;

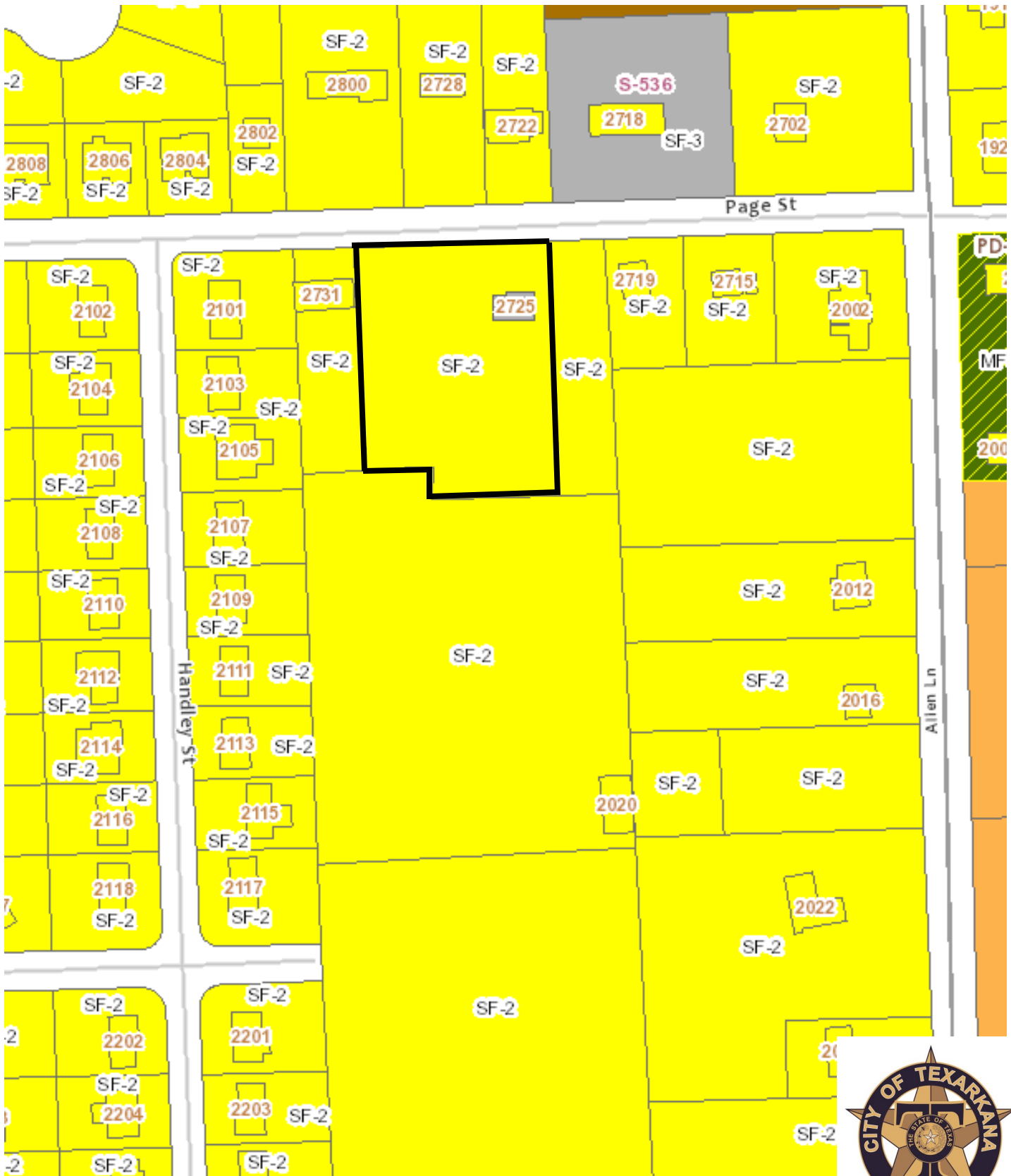
THENCE North, 89 deg. 02 min. 00 sec. West, 87.00 feet to an iron pipe, same being the Southeast corner of a tract of land conveyed by Knightlinger, to Cantrell and described in Deed recorded in Volume 273, Page 118 of the Deed Records of Bowie County, Texas;

THENCE North, 00 deg. 18 min. 37 sec. East with the East line of said Cantrell tract, 248.0 feet to an iron pin, same being in a street designated as Page Street;

THENCE South, 89 deg. 02 min. 01 sec. East with the North line of the above mentioned 1.6 acre Bodine tract, 205.00 feet to the POINT OF BEGINNING; CONTAINING 1.254 acres of land, more or less.

Attachment: 2020-098 EXH "A" (legal description) (2362 : 2020-098 ORD rezoning at 2725 Page)

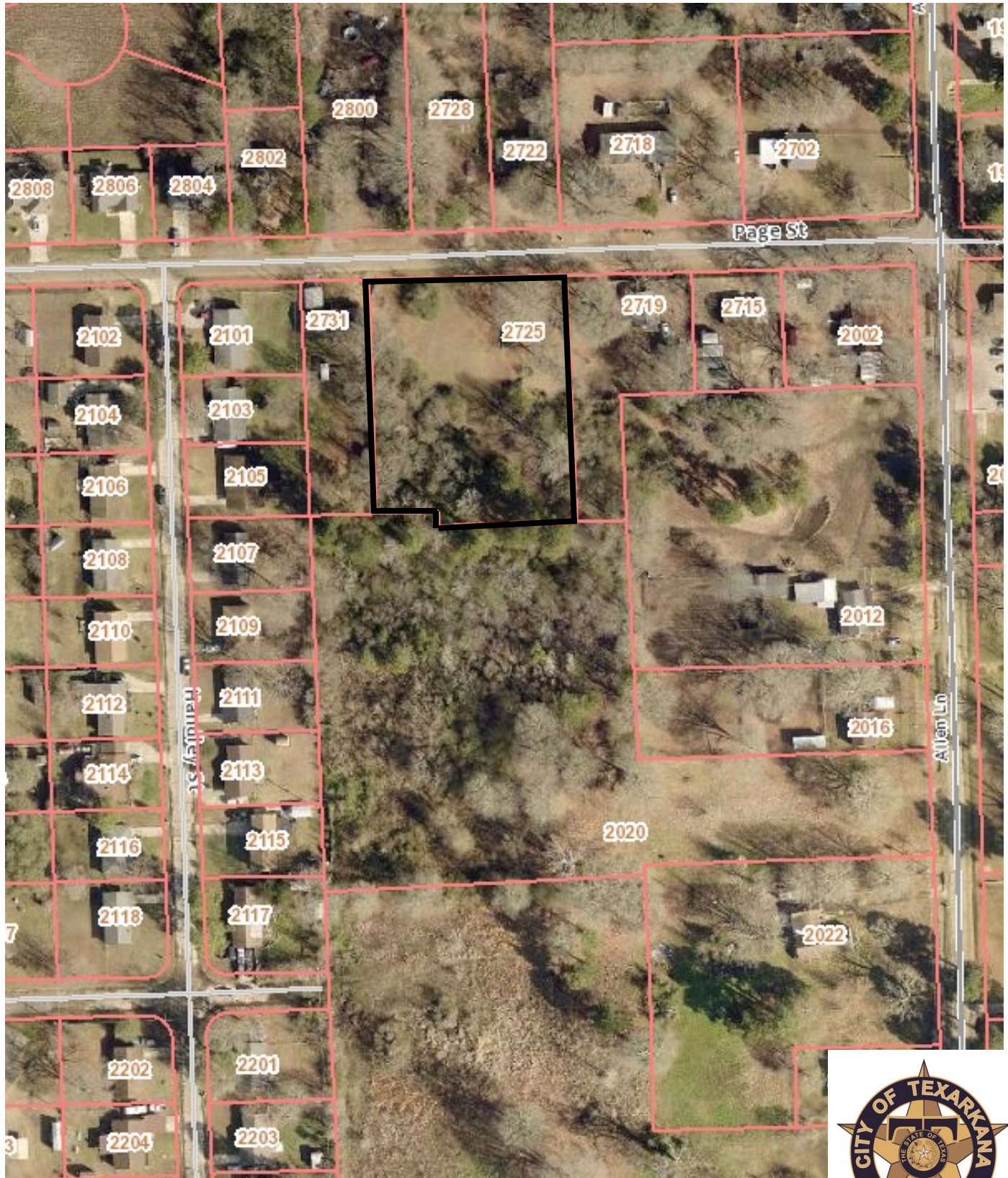
2725 Page Street



Attachment: 2020-098 ATTH 01 (maps) (2362 : 2020-098 ORD rezoning at 2725 Page)



2725 Page Street



Attachment: 2020-098 ATTH 01 (maps) (2362 : 2020-098 ORD rezoning at 2725 Page)



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:

City of Texarkana, Texas

Version: A

Update Date: 9/21/2020 4:36 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2020-099 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home on an approximate 1.254-acre tract of land in the R.E. Sevey, A-523, located at 2725 Page Street. Alisha and Jeffrey Greene, applicants.

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

This is a request by Alisha Greene and Jeffrey Greene, owners, for a Specific Use Permit to allow the location of a double wide HUD code manufactured home on an approximate 1.254-acre tract of land in the R. E. Sevey HRS, A-532, located at 2725 Page Street from Single Family-2 to Single Family-3. This property is currently vacant land.

The adjacent zoning is Single Family-2 to the north, south, east and west. The adjacent land use is residences to the north and east, a manufactured home to the west and a vacant wooded lot to the south.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

There is other HUD code manufactured homes located in this immediate area. HUD code double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could also be a revitalization housing alternative to traditional site-built homes.

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

1. That a 2019 or newer 4-bedroom, 2 bath double wide HUD code manufactured home be allowed on this property. See attached photos and floor plan (Exhibit 'B').
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.

City of Texarkana, Texas

6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

The applicants should also be aware that if this request 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.

Executive Summary and Background Information:

None.

Fiscal Implications:

Not applicable.

Staff Recommendation:

Staff recommends approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-099 ORD granting SUP at 2725 Page St (DOCX)
- b. 2020-099 EXH 'A' (legal description) (PDF)
- c. 2020-099 EXH 'B' (photos & floor plan of home) (PDF)
- d. 2020-099 ATTH 01 (maps) (PDF)
- e. 2020-099 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:03 PM	
City Manager	Shirley Jaster	City Manager Review Completed
11:39 AM		09/23/2020
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		09/28/2020

Meeting History

City of Texarkana, Texas

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

ORDINANCE NO. 2020-099

S-726

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-726 TO ALLOW THE LOCATION OF A DOUBLE-WIDE HUD CODE MANUFACTURED HOME ON AN APPROXIMATE 1.254-ACRE TRACT OF LAND IN THE R. E. SEVEY HRS, A-523, LOCATED AT 2725 PAGE STREET 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 location of a double-wide HUD code manufactured home on **an approximate 1.254-acre tract of land in the R. E. Sevey HRS, A-523 (Exhibit 'A'), located at 2725 Page Street**, 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a double-wide HUD code manufactured home** 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 **Specific Use Permit numbered S-726 for the location of a double-wide HUD code manufactured home on an approximate 1.254-acre tract of land in the R. E. Sevey HRS, A-523 (Exhibit 'A'), located at 2725 Page Street**, in the City of Texarkana, Bowie County, Texas.

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

1. That a 2019 or newer four-bedroom, two-bath double-wide HUD code manufactured home be allowed on this property. See attached photos and floor plan (**Exhibit 'B'**).
2. That the double-wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double-wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas, codes.

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 **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

LEGAL DESCRIPTION

S-726

All that certain lot, tract or parcel of land being a part of the R. E. SEVEY HEADRIGHT SURVEY, Abstract No. 523, in Bowie County, Texas, and being a part of the 1.6 acre tract conveyed to W. P. Bodine and wife, Edith Bodine, by Deed dated June 17, 1948 and recorded in Volume 314, Page 32 of the Deed Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin in the North line of said 1.6 acre tract, same being North, 89 deg. 02 min. 01 sec. West, 50.0 feet from the Northeast corner of said 1.6 acre tract, said POINT OF BEGINNING being the Northwest corner of a tract of land conveyed by Bodine to Latham and described in Deed recorded in Volume 357, Page 404-405 of the Deed Records of Bowie County, Texas;

THENCE South, 00 deg. 18 min. 37 sec. West with the West line of said Latham tract, 280.00 feet to an iron pipe;

THENCE North, 89 deg. 02 min. 01 sec. West, 118.00 feet to an iron pipe;

THENCE North, 00 deg. 18 min. 37 sec. East, 32.00 feet to an iron pipe;

THENCE North, 89 deg. 02 min. 00 sec. West, 87.00 feet to an iron pipe, same being the Southeast corner of a tract of land conveyed by Knightlinger, to Cantrell and described in Deed recorded in Volume 273, Page 118 of the Deed Records of Bowie County, Texas;

THENCE North, 00 deg. 18 min. 37 sec. East with the East line of said Cantrell tract, 248.0 feet to an iron pin, same being in a street designated as Page Street;

THENCE South, 89 deg. 02 min. 01 sec. East with the North line of the above mentioned 1.6 acre Bodine tract, 205.00 feet to the POINT OF BEGINNING; CONTAINING 1.254 acres of land, more or less.

Call Now (501) 481-8128

Search Home Names



Contact Us

2020-099 EXH 'B'

Search

S-726

FREEDOM Homes of Alexander
2363 (2363), Bryant, AR 72022

Bryant

Call Now (501) 481-8128



Attachment: 2020-099 EXH 'B' (photos & floor plan of home) (2363 : 2020-099 ORD Specific Use Permit for

15'0" x 15'0" FLOOR PLAN

Master Bedroom: 15'6" x 14'4"

Master Bath: 8'10" (Opt. Master Bath)

Living Room: 17'8" x 14'4"

Kitchen: 15'0"

Dining Room: 10'0" x 14'4"

Utility: 7'7"

Den: 18'2" x 14'4"

Bedroom #2: 11'0" x 14'4"

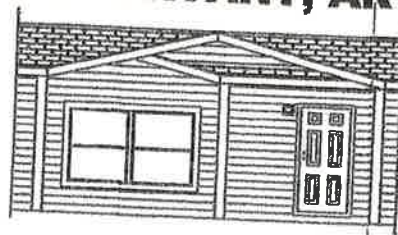
Bedroom #3: 10'4" x 14'4"

Bedroom #4: 10'0" x 14'4"

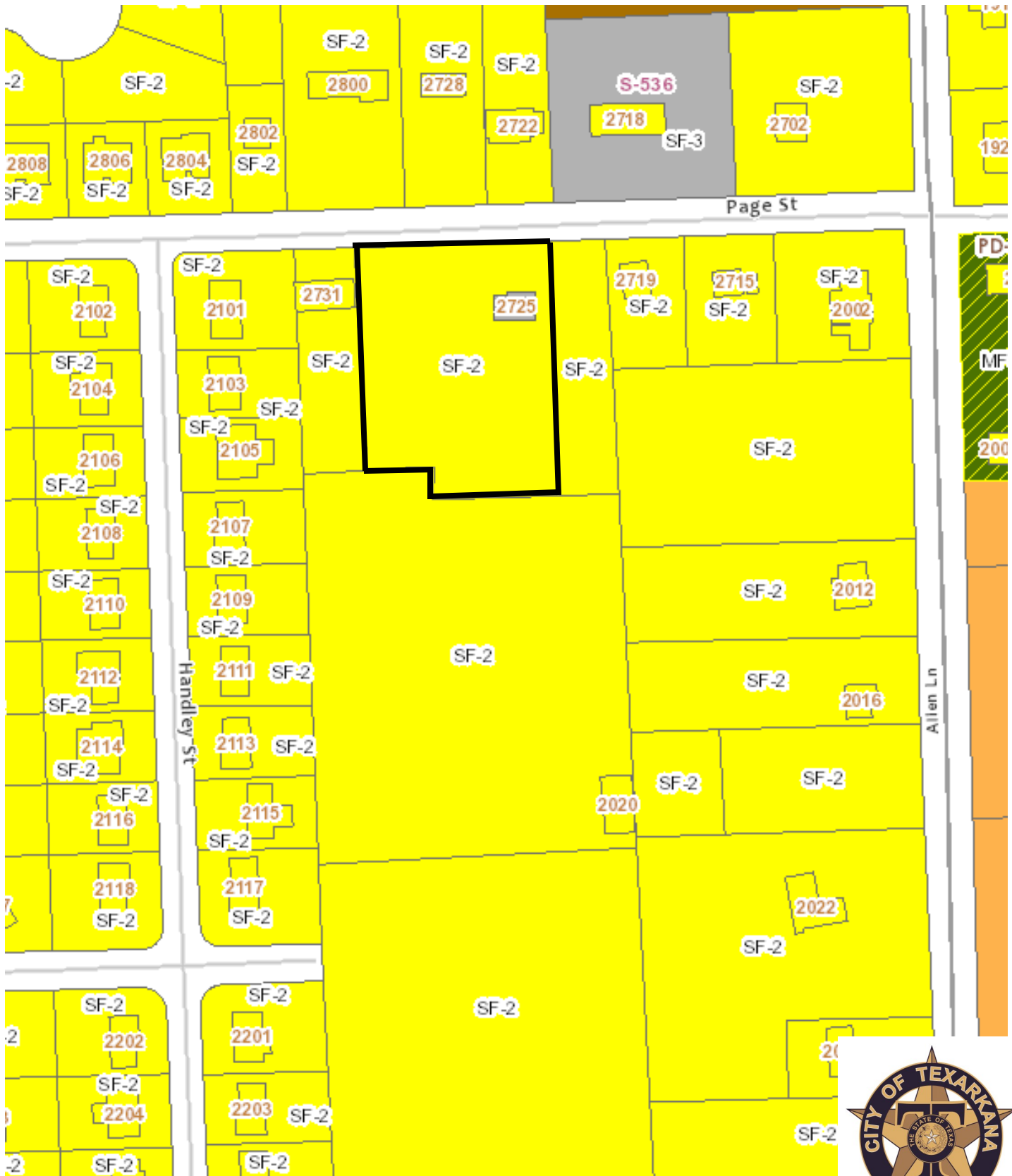
Bath #2: 4'6"

Other Features: Opt. Lux TUB, Opt. Master Bath, Opt. Picture Window, Opt. Dbl. Lavs, Opt. Locker, Opt. Bench, Opt. Roll Goods, Opt. Beam, Opt. Patio Door, Opt. Transom, Opt. D/S, Opt. P&P, Opt. W, Opt. WH, Opt. FRN, Opt. Storage, Opt. Barn Door, Opt. Box Beam, Opt. Bench, Opt. Roll Goods, Opt. Beam, Opt. Beam.

**** STOCK - LUV HOMES - BRYANT, AR**



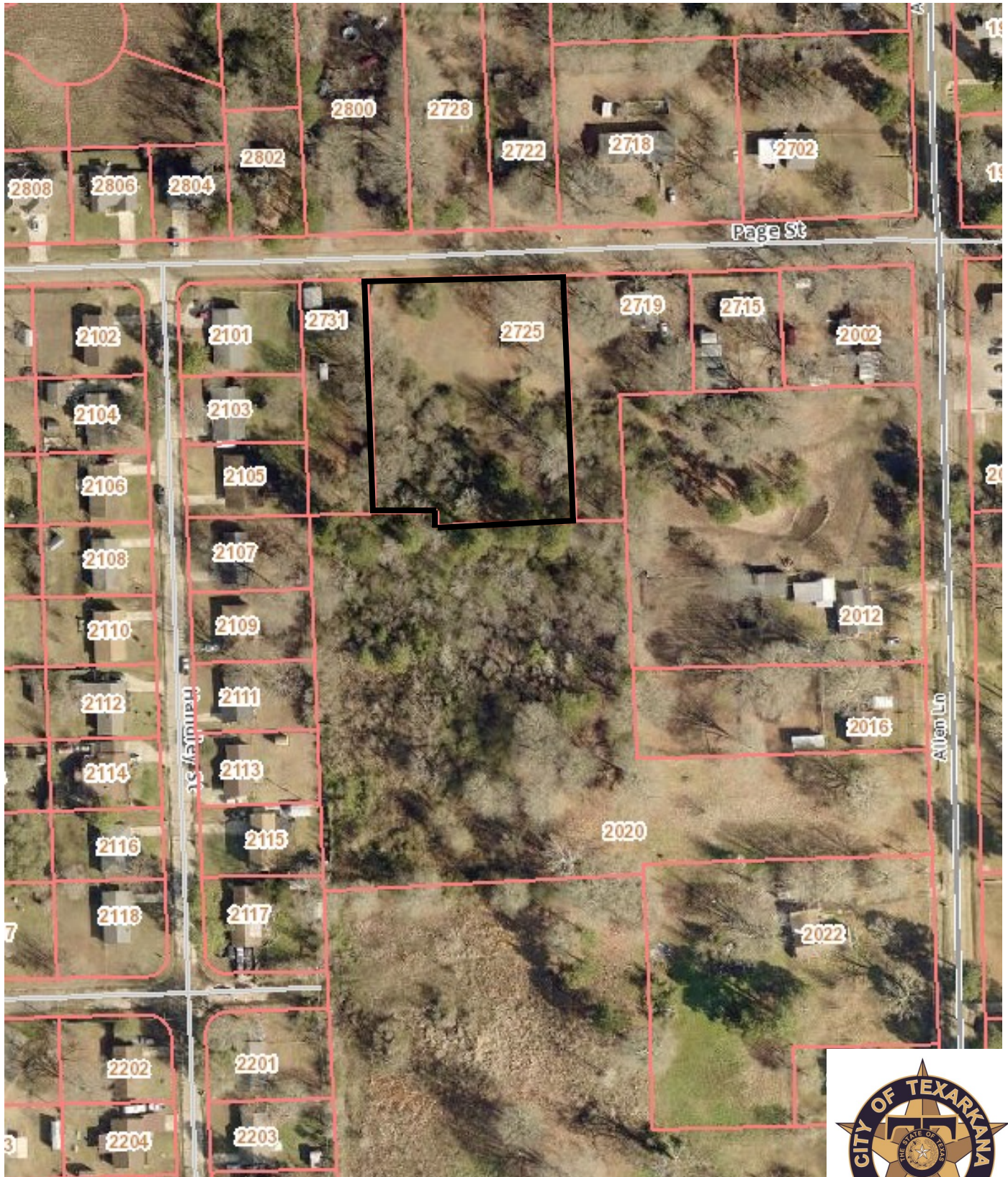
2725 Page Street



Attachment: 2020-099 ATTH 01 (maps) (2363 : 2020-099 ORD Specific Use Permit for 2725 Page Street)



2725 Page Street



Attachment: 2020-099 ATTH 01 (maps) (2363 : 2020-099 ORD Specific Use Permit for 2725 Page Street)



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:

City of Texarkana, Texas

Version: A

Update Date: 9/18/2020 1:44 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-100 rezoning Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane. Single Family-2 to Single Family-3. Brian Proctor, applicant.
Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

After the Planning and Zoning Commission meeting, staff received letters of opposition to this request. Please see Attachments 2 and 3. Also attached is photographs of the area provided by the property owners in opposition. See Attachment 4.

Executive Summary and Background Information:

This is a request by Brian Proctor, owner, to rezone Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane from Single Family-2 to Single Family-3. This property is currently vacant land.

The adjacent zoning is Single Family-2 to the north, south, east and west. The adjacent land use is residences to the north, south and east and a vacant wooded lot to the west.

The Future Land use map designated this property as "Neighborhood Residential and Regional Commercial".

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

There is a tract of land located in the area that is currently zoned Single Family-3. HUD code single wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could also be a revitalization housing alternative to traditional site-built homes. Therefore, staff recommends for approval of this request.

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:

City of Texarkana, Texas

None

Fiscal Implications:

Not applicable.

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-100 ORD rezoning 3011 Clover Lane (DOCX)
- b. 2020-100 ATTH 01 (maps) (PDF)
- c. 2020-100 ATTH 02 (letter in opposition) (PDF)
- d. 2020-100 ATTH 03 (signatures in opposition) (PDF)
- e. 2020-100 ATTH 04 (photos of area provided by opposing property owners) (PDF)
- f. 2020-100 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:04 PM	
City Manager Shirley Jaster	City Manager Review	Completed 09/23/2020
11:47 AM		
City Council Jennifer Evans	Meeting	Completed 09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

ORDINANCE NO. 2020-100

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 6, BLOCK 3, URBAN HEIGHTS ADDITION, LOCATED AT 3011 CLOVER LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; 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 **Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Single Family-3 on Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane** 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 rezoning the property from **Single Family-2 to Single Family-3** 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 and is hereby further amended to **rezone Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**.

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.

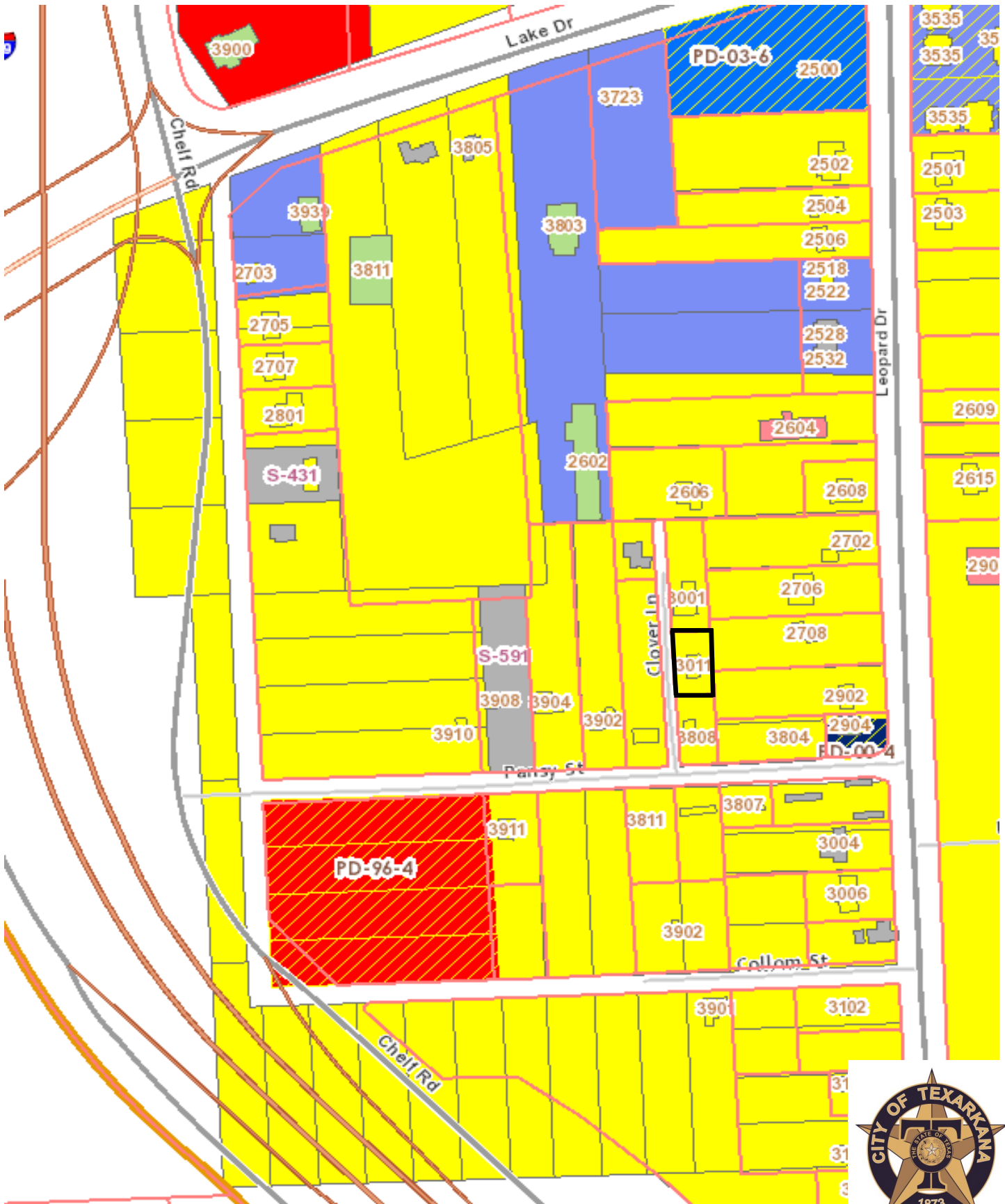
PASSED AND APPROVED in Regular Council Session on this the **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

3011 Clover Ln



Attachment: 2020-100 ATTH 01 (maps) (2364 : 2020-100 ORD rezoning at 3011 Clover Lane)



3011 Clover Ln



Attachment: 2020-100 ATTH 01 (maps) (2364 : 2020-100 ORD rezoning at 3011 Clover Lane)



September 16, 2020

TO: The Texarkana, Bowie County, Texas City Council

RE: Letter of Opposition

(to the proposed rezoning of the 3000 block of Clover Lane)

Dear City Council Members,

I am, Valree Estell, the property owner and resident of 3001 Clover Lane, Texarkana, Texas 75501. I am writing to express my opposition to rezone the 3000 block of Clover Lane. The neighborhood is an established area of stability, that consist of single family (brick) homes, and the current zoning proposal is incompatible with the surrounding properties. Clover Lane is located one block from Liberty Eylau High School, in which you turn onto Leopard Drive (off Lake Drive), then right onto Pansy Street (directly in front of the high school) and right onto Clover Lane (a dead end street). The majority of the property owners have resided in their homes for approximately 25 years or longer, and share the same opposition, as evidenced by their signatures on the attached letter.

We respectfully oppose rezoning the area for the following reasons:

- Once the area is rezoned the land owner can change the original concept once rezoning is approved
- There is the potential loss of neighborhood and community character
- There is a potential decrease in the market value of the existing established single family (brick) homes, as mobile homes, have a tendency to decrease in value
- Every property owner within 200 feet of the proposed rezoning area, are equally opposed to rezoning, and have resided in their homes for approximately 25 years or longer
- There is no existing plan from the land owner ensuring he/she will conform to the character of the neighborhood
- There is a potential of increased and unwarranted traffic, as evidenced by the current illicit use of land, occupied by Melody Rettstatt at 3000 Clover Lane, Texarkana, TX 75501. The late City Council Member Willie J. Ray requested the Rettstatt's remove their burned, abandoned campers, and single wide trailer from 3000 Clover Lane multiple times prior to her retirement. The Rettstatt's were cited by Code Enforcement, Environmental, and Law Enforcement on multiple occasions because of immense debris surrounding their dwelling, for defecating/urinating outdoors because of unserviceable

Attachment: 2020-100 ATTH 02 (letter in opposition) (2364 : 2020-100 ORD rezoning at 3011 Clover Lane)

sewage/trash/water services, and for stealing services (water/electricity). The unkept grounds, illicit use of the acreage, the concerns and complaints of the neighbors fell on deaf ears by the City Council after Ms. Ray retired. To add, the electric and water companies removed their meters, and the occupants utilize a generator daily. Lastly, law enforcement is continuously dispatched to the Rettstatt's prohibited dwelling because of drug sales and domestic violence disputes. Therefore, the established home owners urge you to vote against the proposed rezoning of Clover Lane because of the magnitude of change that has drastically impacted the existing neighborhood

- Please reference the following attachments: Signatures of established home owners who oppose rezoning Clover Lane, photos of the established area, as well as the illicit use of the acreage occupied by the Rettstatt family and their acquaintances

Thank you for your consideration and time.

cc: Bob Bruggeman, Mayor
Jean H. Matlock, Ward 1
Mary Hart, Ward 2
Betty Williams, Ward 3
Christie Alcorn, Ward 4
Bill Harp, Ward 5
Jay Davis, Ward 6

Valerie Estee
903) 742-8936

Oppose TO Zoning Change

1. Valtee Estee - 3001 Clover Ln, Texarkana, TX 75501
2. Larry C. Leaks
3. Donna M. Douglas
4. Lorraine Estell
5. Shelia M. Moorehead
6. Christopher D. Estell
7. Collins Estell Jr.
8. Myrtle Green 3808 Pansy Street, Texarkana TX 75501
9. Doris Johnson 3807 Pansy St. Texarkana, TX 75501
10. Timothy Davis 2902 Leopard DR Texarkana TX 75501
11. Carl Hopson 3902 PAWST ST. Texarkana TX



Attachment: 2020-100 ATTH 04 (photos of area provided by opposing property owners) (2364 : 2020-100 ORD rezoning at 3011 Clover Lane)



Attachment: 2020-100 ATTH 04 (photos of area provided by opposing property owners) (2364 : 2020-100 ORD rezoning at 3011 Clover 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:

City of Texarkana, Texas

Version: B

Update Date: 9/29/2020 2:19 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2020-101 granting a Specific Use Permit to allow the location of a single-wide HUD code manufactured home on Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane. Brian Proctor, applicant.

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Brian Proctor, owner, for a Specific Use Permit to allow the location of a single wide HUD code manufactured home on Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane. This property is currently vacant land. A residence was recently removed from the property.

The adjacent zoning is Single Family-2 to the north, south, east and west. The adjacent land use is residences to the north, south, east and a vacant wooded lot to the west.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

There are other manufactured homes located in this immediate area. The applicant has stated that the plan is to build a deck and porch on the home once it has been moved to the property.

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

1. That a 2017 Champion model 3-bedroom, 2-bathroom, 14' x 64' single wide HUD code manufactured home be allowed on this property. See attached photo. (Exhibit 'A').
2. That the single wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the single wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.

City of Texarkana, Texas

6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

The applicant should also be aware that if this request 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:

Not applicable.

Staff Recommendation:

Staff recommends approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-101 ORD granting SUP at 3011 Clover Lane (DOCX)
- b. 2020-101 EXH A (photos) (PDF)
- c. 2020-101 ATTH 01 (maps) (PDF)
- d. 2020-101 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:04 PM	
City Manager	Shirley Jaster	City Manager Review Completed
11:51 AM		09/23/2020
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		09/28/2020

City of Texarkana, Texas**Meeting History**

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

ORDINANCE NO. 2020-101

S-727

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-727 TO ALLOW THE LOCATION OF A SINGLE-WIDE HUD CODE MANUFACTURED HOME ON LOT 6, BLOCK 3, URBAN HEIGHTS ADDITION, LOCATED AT 3011 CLOVER 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 with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of a single-wide HUD code manufactured home on **Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane**, 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a single-wide HUD code manufactured home** 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 **Specific Use Permit Numbered S-727 for the location of a single-wide HUD code manufactured home on Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane**, in the City of Texarkana, Bowie County, Texas.

Attachment: 2020-101 ORD granting SUP at 3011 Clover Lane (2365 : 2020-101 ORD SUP at 3011 Clover Lane)

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

1. That a 2017 or newer Champion model three-bedroom, two-bathroom, 14' x 64' single-wide HUD code manufactured home be allowed on this property. See attached photo. (**Exhibit 'A'**).
2. That the single-wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the single-wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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 **12th day of October, 2020.**

ATTEST:

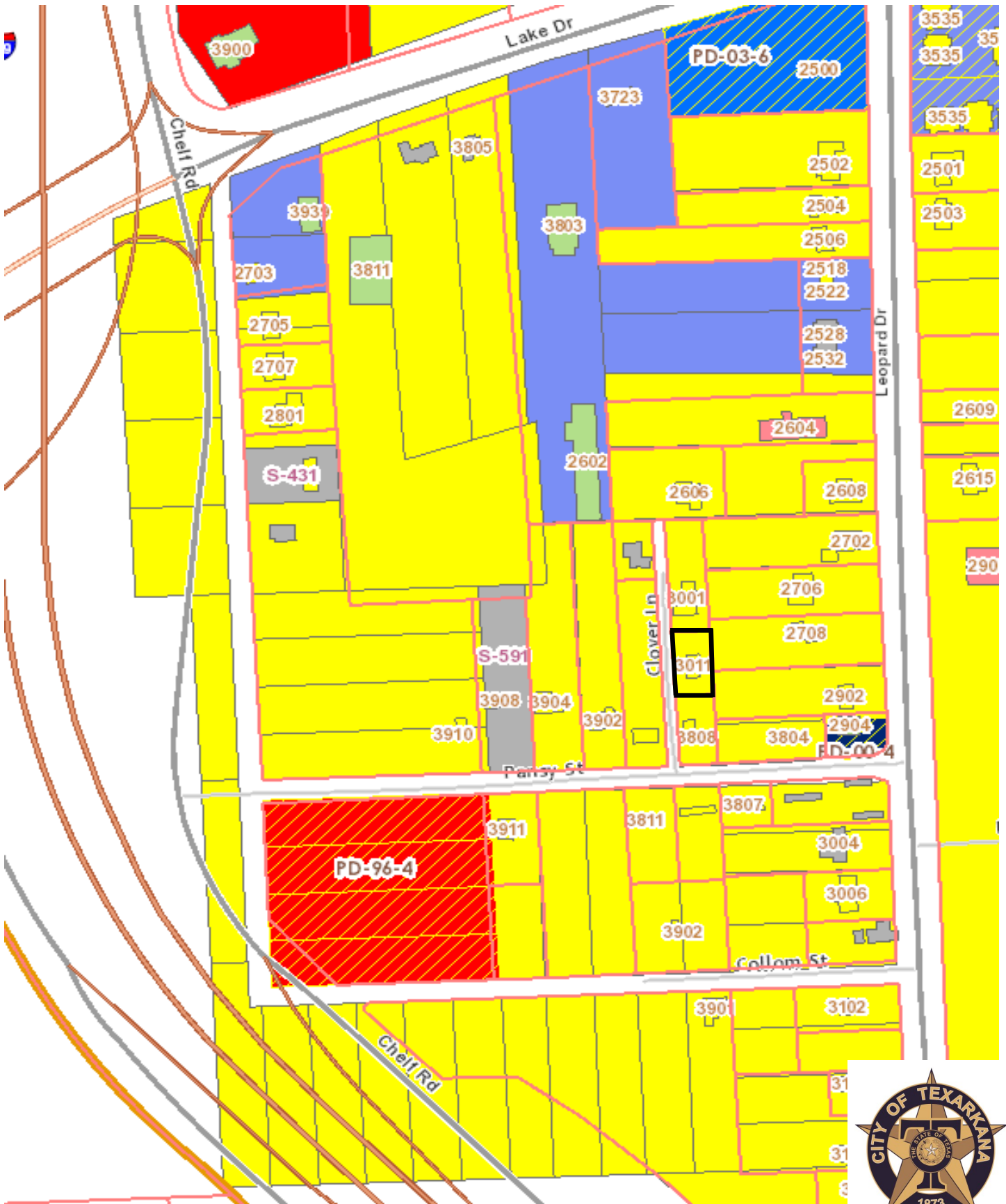
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



Attachment: 2020-101 EXH A (photos) (2365 : 2020-101 ORD SUP at 3011 Clover Lane)

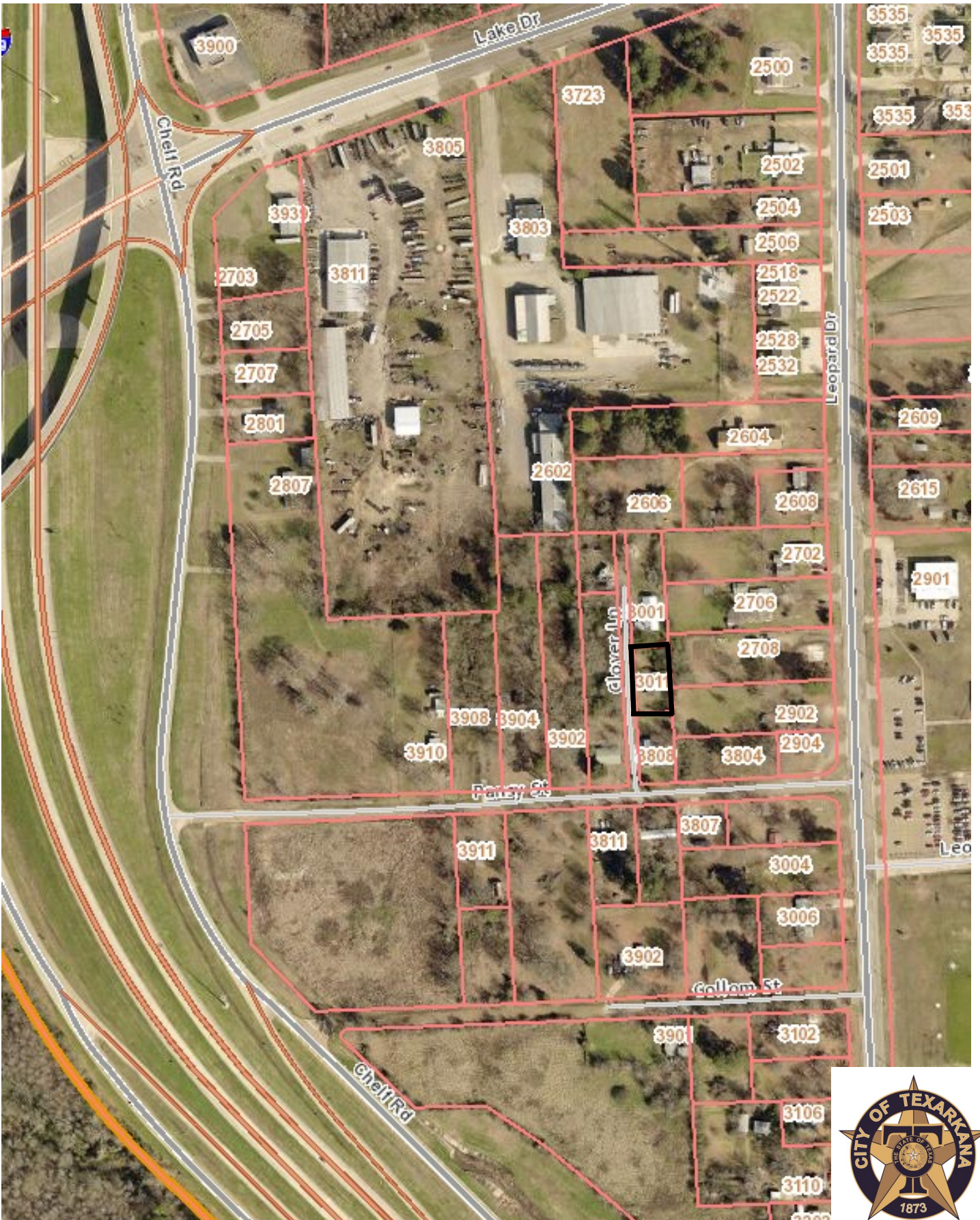
3011 Clover Ln



Attachment: 2020-101 ATTH 01 (maps) (2365 : 2020-101 ORD SUP at 3011 Clover Lane)



3011 Clover Ln



Attachment: 2020-101 ATTH 01 (maps) (2365 : 2020-101 ORD SUP at 3011 Clover 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:

City of Texarkana, Texas

Version: C

Update Date: 9/29/2020 4:16 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2020-102 rezoning a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Single Family-1 to Planned Development-General Retail. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent. (A 3/4 vote of the City Council is required to approve this request).

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

A letter of protests against this rezoning was presented to the Planning and Zoning Commission at their September 8, 2020 meeting. The signatures represented more than 20% of the property owners within 200 feet of the proposed project. Therefore, a $\frac{3}{4}$ vote will be required by City Council to approve this request.

Based on comments from residents at the P&Z Public Hearing, the City has added the Bel-Air Drainage Project to the CIP list (\$1,000,000) which is dependent on future CIP project priorities and funding. This would consist of regional detention and channel improvements from Ames-Dale to Skyline. The future CIP project does not replace the current detention basin required for this proposed development.

Executive Summary and Background Information:

This is a request by Cheney Pruett, dba Ames Development, LLC, owner and Kayla Wood, MTG Engineering and Surveyors, agent, to rezone a 26.54 acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive from Single Family-1 to Planned Development-General Retail. The proposed use is a master plan mixed-use area (mini-warehouses, retail, restaurants and offices). This property is mostly vacant land at the current time.

The adjacent zoning is Single Family-1 to the north, east and west. The zoning to the south is PD-General Retail and PD-Multiple Family-2. The adjacent land use is residences to the north, a restaurant and retirement center to the south, a church and cemetery to the west, and vacant land to the east.

Several other Planned Development-General Retail zoned properties fronting on Richmond Road are located to the south of this tract of land. These proposed mixed uses listed in this master plan will provide services to the residential neighborhoods in the area. Staff recommends for approval of this request with the following stipulations"

City of Texarkana, Texas

1. Any outside lighting in this development be shielded away from any residential properties.
2. Any properties developed within this master plan mixed use area that adjoins residentially zoned property be screened either by fencing or a landscape buffer.

If the request is approved, staff would recommend prohibiting the following uses that could negatively affect the residential neighborhood to the north:

1. Automobile sales
2. Auto mechanic work
3. Car wash
4. Multiple family housing

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, flood plain, 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:

Not applicable.

Staff Recommendation:

Staff recommends approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-102 ORD rezoning corner of Airline and Richmond (DOCX)
- b. 2020-102 EXH 'A' (Master site plan) (PDF)
- c. 2020-102 EXH 'B' (legal description) (PDF)
- d. 2020-102 ATTH 01 (maps) (PDF)
- e. 2020-102 ATTH 02 (Aerial showing master plan from MTG) (PDF)
- f. 2020-102 Goals & Perspectives (DOCX)

City of Texarkana, Texas

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:06 PM	
City Manager Shirley Jaster	City Manager Review Completed	09/25/2020
9:23 AM		
City Council Jennifer Evans	Meeting Completed	09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
 David Orr briefed this agenda item.

ORDINANCE NO. 2020-102

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 26.54-ACRE TRACT OF LAND IN THE JOHN A TALBOT HRS, A-564, LOCATED AT THE CORNER OF RICHMOND ROAD AND AIRLINE DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-1 TO PLANNED DEVELOPMENT-GENERAL RETAIL; 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 26.54-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit 'A'), located at the corner of Richmond Road and Airline Drive** in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-General Retail, with stipulations;** 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend the application for rezoning from Single Family-1 to Planned Development-General Retail on a 26.54-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit 'A'), located at the corner of Richmond Road and Airline Drive** 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 rezoning the property from **Single Family-1 to Planned Development-General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

WHEREAS, a written protest letter was submitted to the Planning and Zoning Commission that contained signatures of persons who own more than 20 percent of the property within 200 feet of the proposed change. Therefore, a 3/4 vote by the City Council will be required to approve this request.

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 **26.54-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit 'A'), located at the corner of Richmond Road and Airline Drive** in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-General Retail.**

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

1. Any outside lighting in this development is to be shielded away from any residential properties.
2. Any properties developed within this master plan/mixed use area that adjoins residential zoned property must be screened either by fencing or a landscape buffer.

SECTION 3: That the following uses are prohibited and hereby imposed and made a part of this Ordinance:

1. Automobile sales
2. Auto mechanic work
3. Car wash
4. Multiple family housing

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

SECTION 6: 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 **12th day of October, 2020.**

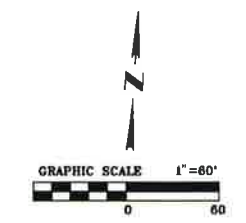
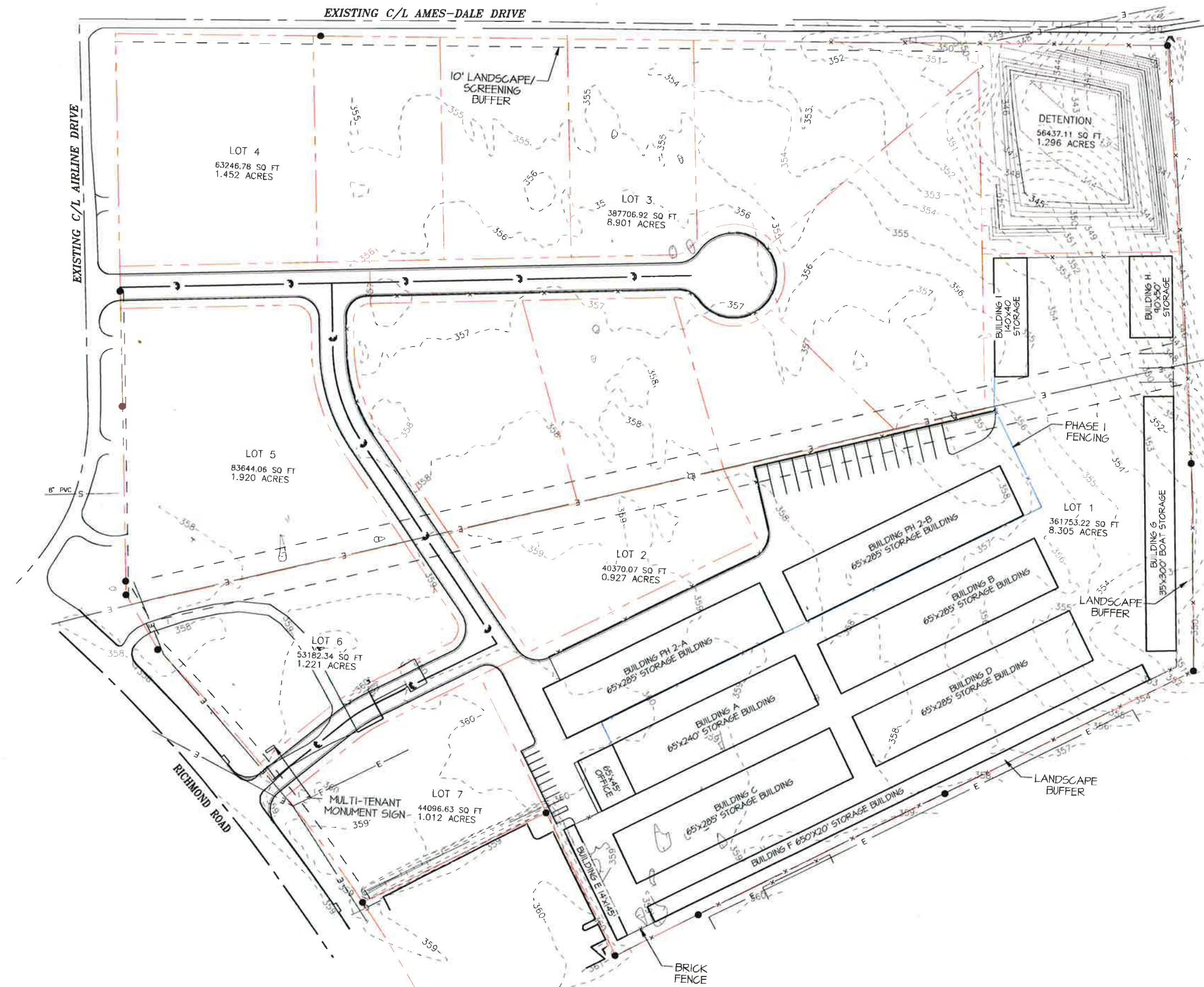
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2020-102

EXH 'A'



LEGEND	
	PROPERTY LINE
	CURB AND GUTTER
	BUILDING EDGE
	EDGE OF PAVEMENT
	EASEMENT
	BUILDING LINE OFFSET
	TOE OF DITCH/SLOPE
	TOP OF BANK
	OVERHEAD POWER LINE
	WATER MAIN
	SANITARY SEWER MAIN
	TELEPHONE LINE
	PROPOSED CONTOUR INT.
	EXISTING CONTOUR INT.
	SILT FENCE
	STORM DRAIN
	FIRE LANE
	SPOT ELEVATION
	POWER POLE
	WATER METER
	WATER VALVE
	CLEAN OUT
	SANITARY SEWER MANHOLE
	STORM DRAIN MANHOLE
	SIGN (TYPICAL)
	HANDICAP PARKING SYMBOL (PAINTED)
	FIRE HYDRANT
	LIGHT POLE
	GAS REGULATOR
	IRRIGATION CONTROL VALVE
	SPRINKLER HEAD
	ROOF DRAIN
	TELEPHONE JUNCTION BOX
	ELECTRIC JUNCTION BOX
	GUY WIRE
	TREE

Attachment: 2020-102 EXH 'A' (Master site plan) (2366 : 2020-102 ORD rezoning Richmond Rd and Airline Dr.)

LEGAL DESCRIPTION

EXHIBIT 'B'
2020-102Property Description
23.818 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of those certain tracts of land described as Tract No. 1, with 18.04 acres, Tract No. 2, with 1.32 acres, Tract No. 3, with 1.87 acres, and Tract No. 4, with 2.13 acres in the deed from William El Sparks and William Moore McKemie, as Joint Independent Executors of the Will and Estate of Ida Lou Moores Ames to Amy Alicia Beasley Harrell, dated January 1, 2004, recorded in Volume 3302, Page 329 of the Real Property Records of Bowie County, Texas, sold Tract No. 2 being the same tract of land described as 1.32 acres in the deed from Emma Ames to Weldon Ames, dated October 28, 1959, recorded in Volume 377, Page 324 of the Deed Records of Bowie County, Texas, sold Tract No. 4 being the same tract of land described as 2.13 acres in the deed from Emma Ames to Weldon Ames, et ux, dated March 26, 1960, recorded in Volume 382, Page 497 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 3 acres in the deed from Emma Ames to Weldon Ames, et ux, dated October 22, 1954, recorded in Volume 317, Page 241 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 2 acres in the deed from Ezra E. Ames, et ux, to Weldon D. Ames, et ux, dated August 1, 1905, recorded in Volume 305, Page 44 of the Deed Records of Bowie County, Texas, some being that certain tract of land described as Tract No. 2, with 2 acres in the deed from Emma Ames to Ezra E. Ames, dated August 22, 1847, recorded in Volume 240, Page 79 of the Deed Records of Bowie County, Texas, sold 3 acre tract and 2 acre tract were given to Amy Alicia Beasley in the Will and Estate of Ida Lou Moores Ames, whose will was probated in Cause No. 37,627 in the County Court of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for a corner (control monument), lying in the South right-of-way line of Ames-Dale Drive, the Northeast corner of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, et ux, to Jack A. Weaver, et ux, dated January 17, 2002, recorded in Volume 3627, Page 130 of the Real Property Records of Bowie County, Texas, some being that certain tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, et ux, dated May 25, 1979, recorded in Volume 649, Page 634 of the Deed Records of Bowie County, Texas;

THENCE North 87 degrees 22 minutes 30 seconds East a distance of 1001.95 feet along the South right-of-way line of the said Ames-Dale Drive, generally and partially along a fence to a 1 inch steel pipe found for a corner, lying on the East line of the said 18.04 acre tract, the Northwest corner of that certain tract of land described as 4.3602 acres in the deed from Reggina Bank, Trustee for the Georgia Moe Bevil Parker Management Trust, to Aldergrate Trust, dated December 31, 2008, recorded in Volume 5533, Page 333 of the Real Property Records of Bowie County, Texas;

THENCE South 06 degrees 35 minutes 17 seconds East a distance of 494.42 feet along the East line of the said 18.04 acre tract, the East line of the said 4.3602 acre tract, and generally along a fence to a 5/8 inch steel rod found for a corner, the Southwest corner of the said 4.3602 acre tract, the Northwest corner of Lot No. 1 of the Amended Cornerstone Minor Plat, according to the plat recorded in Volume 5748, Page 25 of the Real Property Records of Bowie County, Texas;

THENCE South 03 degrees 59 minutes 27 seconds East a distance of 244.58 feet along the East line of the said 18.04 acre tract, the East line of the said 3 acre tract, the West line of the said Lot No. 1, and generally along a fence to a 3/4 inch steel rod found for a corner in the top of a 4 inch wood post, at an angle point of 104 degrees 44 minutes 11 seconds;

THENCE South 80 degrees 36 minutes 17 seconds West a distance of 326.87 feet passing a 1/2 inch steel rod found for a corner, capped MTG 101011-00, an outside set corner of the said Lot No. 1, the Northeast corner of Lot No. 2 of the said Minor Plat, continuing in at a distance of 850.62 feet along the North line of the said Lot No. 1 and 2, and generally along a fence to a 1/2 inch steel rod found for a corner, capped Texas MC 5760, the Northwest corner of the said Lot No. 2, the Northeast corner of that certain tract of land described as 0.93 acres in the deed from Joe C. Donahue, et ux, to Amy Torrera, dated December 19, 1994, recorded in Volume 2249, Page 235 of the Real Property Records of Bowie County, Texas;

THENCE South 80 degrees 46 minutes 41 seconds West a distance of 110.18 feet along the North line of the said 0.93 acre tract and generally along a fence to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Southwest corner of that certain tract of land described as 0.934 acres in the deed from Amy Harrell LLC, dated March 15, 2012, recorded in Volume 6204, Page 19 of the Real Property Records of Bowie County, Texas;

THENCE North 29 degrees 13 minutes 28 seconds West a distance of 187.00 feet along the East line of the said 0.994 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Northeast corner of the said 0.994 acre tract;

THENCE South 60 degrees 46 minutes 32 seconds West a distance of 241.31 feet along the North line of the said 0.994 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in a circular curve to the left in the East right-of-way line of Farm-to-Market Road 559 (Richmond Road), the Northwest corner of the said 0.994 acre tract;

THENCE in a Northwesterly direction along the arc of the said circular curve, at a distance of 114.90 feet passing a TxDOT Type II right-of-way marker found for a reference, continuing in at a distance of 384.40 feet, with a deflection angle of 11 degrees 09 minutes 09 seconds, a radius of 1974.86 feet, a chord bearing of North 42 degrees 30 minutes 31 seconds West, and a chord distance of 383.79 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the intersection of the East right-of-way line of the said Richmond Road and the East right-of-way line of Airline Drive;

THENCE North 33 degrees 32 minutes 24 seconds West a distance of 74.57 feet along the East right-of-way line of the said Airline Drive to a TxDOT Type II right-of-way marker found for a corner, at an angle point;

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 51.64 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE North 84 degrees 40 minutes 55 seconds East a distance of 226.15 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE North 01 degrees 48 minutes 46 seconds East a distance of 145.39 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE South 84 degrees 06 minutes 31 seconds West a distance of 242.02 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the East right-of-way line of the said Airline Drive;

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 164.84 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod found for a corner, lying in the South line of the said 1.959 acre tract;

THENCE North 86 degrees 11 minutes 58 seconds East a distance of 240.94 feet along the South line of the said 1.959 acre tract to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of the said 1.959 acre tract;

THENCE North 04 degrees 09 minutes 24 seconds West (basis of bearings) a distance of 299.49 feet along the East line of the said 1.959 acre tract to the point of beginning and containing 23.818 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of North 04 degrees 09 minutes 24 seconds West.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on January 28, 2013.

Property Description
1.752 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, et ux, to Jack A. Weaver, et ux, dated January 17, 2002, recorded in Volume 3627, Page 129 of the Real Property Records of Bowie County, Texas, being that same tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, et ux, dated May 25, 1979, recorded in Volume 649, Page 634, Real Property Records, 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 lying in the South line of the said 1.959 acre tract, the Southeast corner of that certain tract of land described as 0.029 acres in the deed from Eunice Carolina Weaver to the State of Texas, dated June 2, 2006, recorded in Volume 4933, Page 156 of the Real Property Records of Bowie County, Texas, sold corner bears South 86 degrees 11 minutes 58 seconds West, a distance of 15.67 feet passing the Southwest corner of the said 0.029 acre tract, continuing in on a total distance of 41.05 feet to the Southwest corner of the said 1.959 acre tract;

THENCE North 04 degrees 27 minutes 56 seconds West a distance of 16.77 feet along the East line of the said 0.029 acre tract to a TxDOT Type II right-of-way marker found for a corner at an angle point;

THENCE North 11 degrees 15 minutes 03 seconds West a distance of 108.38 feet to a TxDOT Type II right-of-way marker found for a corner at an angle point;

THENCE North 04 degrees 27 minutes 56 seconds West a distance of 5.65 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Northeast corner of the said 0.029 acre tract;

THENCE South 85 degrees 32 minutes 04 seconds West a distance of 2.39 feet along the North line of the said 0.029 acre tract to a TxDOT Type II right-of-way marker found for a corner, the Northwest corner of the said 0.029 acre tract;

THENCE North 04 degrees 15 minutes 16 seconds West a distance of 174.67 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the North line of the said 1.959 acre tract and on the South right-of-way line of Ames-Dale Drive, sold corner bears South 87 degrees 19 minutes 13 seconds West a distance of 25.78 feet to the Northwest corner of the said 1.959 acre tract;

THENCE North 87 degrees 19 minutes 13 seconds East a distance of 257.27 feet along the North line of the said 1.959 acre tract and the South right-of-way line of the said Ames-Dale Drive, to a 5/8 inch steel rod found for a corner (control monument), the Northeast corner of the said 1.959 acre tract;

THENCE South 04 degrees 09 minutes 24 seconds East (basis of bearings) a distance of 299.49 feet along the East line of the said 1.959 acre tract to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of the said 1.959 acre tract;

THENCE South 86 degrees 11 minutes 58 seconds West a distance of 240.94 feet along the South line of the said 1.959 acre tract to the point of beginning and containing 1.752 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of South 04 degrees 09 minutes 24 seconds East.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on January 28, 2013.

Property Description
0.970 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of that certain tract of land described as Tract No. 1, with 18.04 acres in the deed from William El Sparks and William Moore McKemie, as Joint Independent Executors of the Will and Estate of Ida Lou Moores Ames to Amy Alicia Beasley Harrell, dated January 1, 2004, recorded in Volume 3302, Page 329 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 set for a corner, capped MTG 101011-00, lying in the East right-of-way line of Airline Drive, sold corner bears South 04 degrees 28 minutes 00 seconds East a distance of 16.00 feet to a TxDOT Type II right-of-way marker found for a corner, at the intersection of the East right-of-way line of said Drive and the North right-of-way line of Farm-to-Market Road 559 (Richmond Road);

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 206.48 feet along the East right-of-way line of the said Drive to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, sold corner bears North 04 degrees 28 minutes 00 seconds West a distance of 135.87 feet to a 1/2 inch steel rod found for a reference;

THENCE North 89 degrees 24 minutes 34 seconds East a distance of 242.45 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, sold corner bears North 04 degrees 50 minutes 23 seconds West a distance of 149.46 feet to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, et ux, to Jack A. Weaver, et ux, dated January 17, 2002, recorded in Volume 3627, Page 130 of the Real Property Records of Bowie County, Texas, some being that certain tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, et ux, dated May 25, 1979, recorded in Volume 649, Page 634 of the Deed Records of Bowie County, Texas, and North 04 degrees 09 minutes 24 seconds West (basis of bearings) a distance of 299.49 feet to a 5/8 inch steel rod found for a corner (control monument), the Northeast corner of the said 1.959 acre tract;

THENCE South 04 degrees 50 minutes 23 seconds East a distance of 6.57 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE South 01 degrees 58 minutes 29 seconds West a distance of 149.93 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

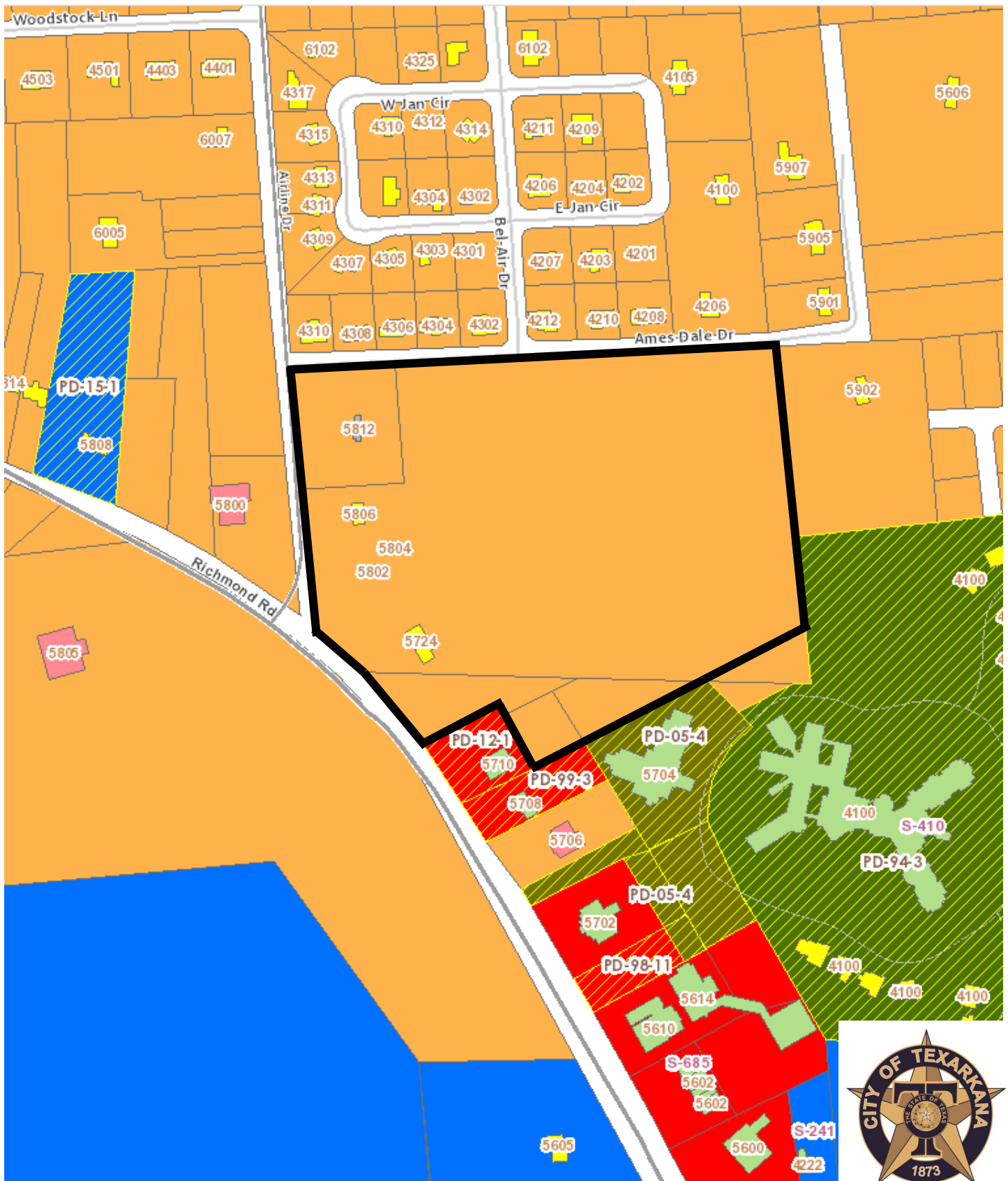
THENCE South 76 degrees 48 minutes 36 seconds West a distance of 227.76 feet to the point of beginning and containing 0.970 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of North 04 degrees 09 minutes 24 seconds East.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on December 21, 2012, and revised on March 15, 2013.

Attachment: 2020-102 EXH 'B' (legal description) (2366 : 2020-102 ORD rezoning Richmond Rd and Airline Dr.)

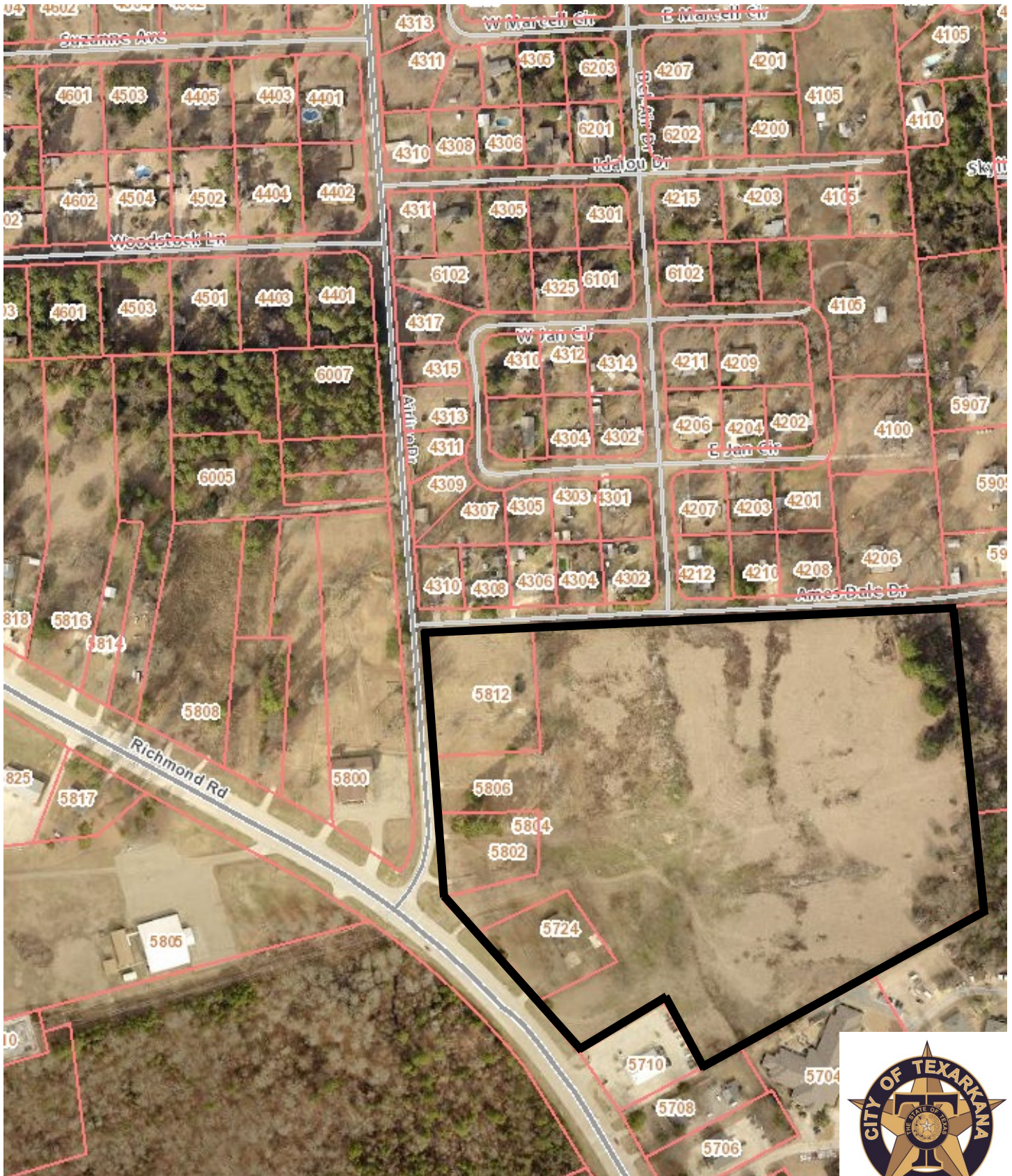
Corner of Richmond Rd & Airline Dr



Attachment: 2020-102 ATTH 01 (maps) (2366 : 2020-102 ORD rezoning Richmond Rd and Airline Dr.)



Corner of Richmond Rd & Airline Dr

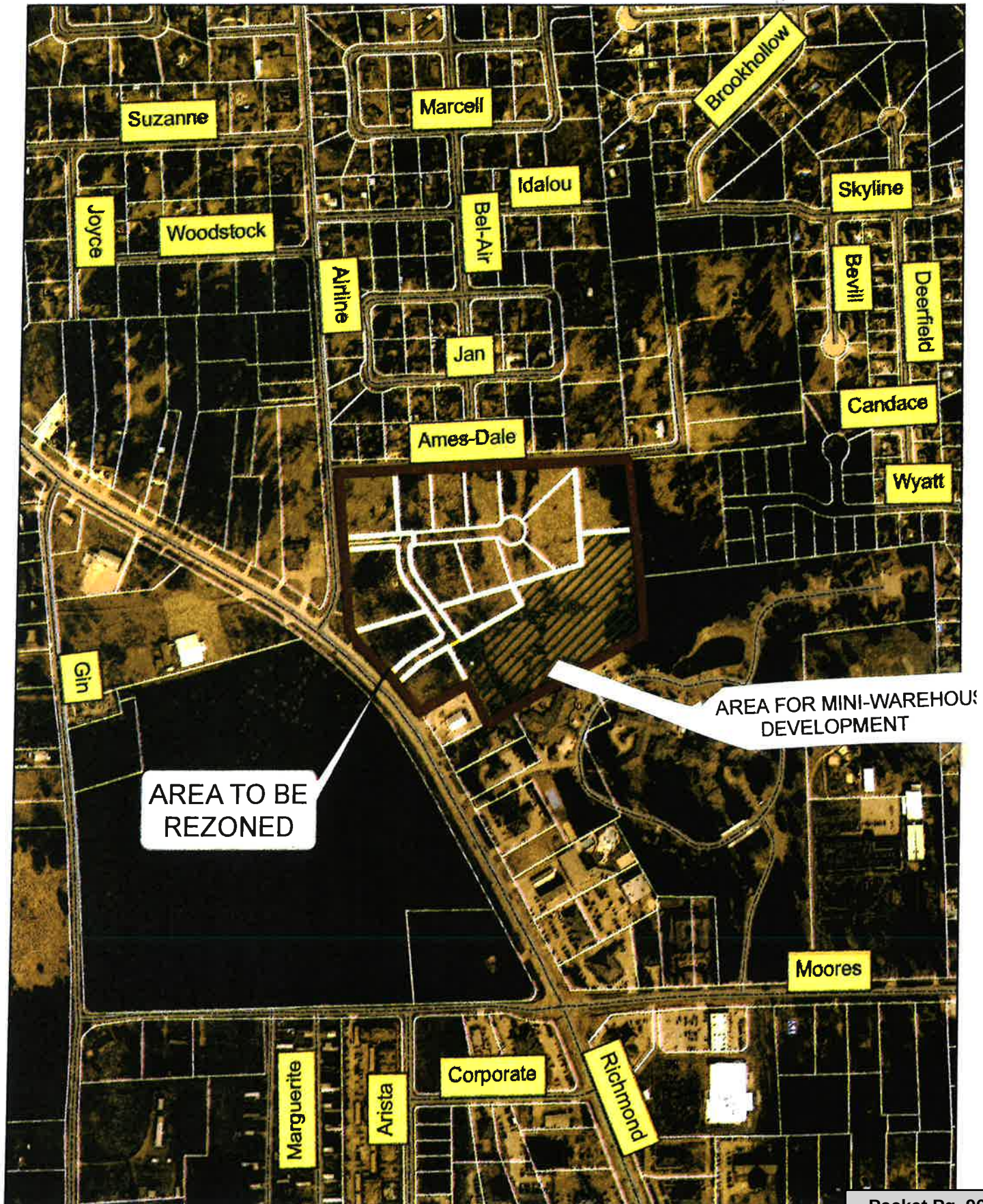


Attachment: 2020-102 ATTH 01 (maps) (2366 : 2020-102 ORD rezoning Richmond Rd and Airline Dr.)



Richmond & Airline Zoning Exhibit

0 130260 520 Feet
|-----|-----|



Attachment: 2020-102 ATTH 02 (Aerial showing master plan from MTG) (2366 : 2020-102 ORD rezoning Richmond Rd and Airline Dr.)

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:

City of Texarkana, Texas

Version: A

Update Date: 9/18/2020 1:48 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2020-103 granting a Specific Use Permit to allow a mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent.

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Cheney Pruett, dba Ames Development, LLC, owner and Kayla Wood, MTG Engineering and Surveyors, agent, for a Specific Use Permit to allow a mini-warehouse development on a portion of a 26.54 acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. The overall proposed use of this land is a mixed-use area (mini-warehouses, retail, restaurants and offices). The proposed mini-warehouse development is the first phase of this project. This property is mostly vacant land.

The adjacent zoning is Single Family-1 to the north, east and west. The zoning to the south is PD-General Retail and PD-Multiple Family-2. The adjacent land use is residences to the north, a restaurant and retirement center to the south, a church and cemetery to the west, and vacant land to the east.

The proposed mini-warehouses will provide a service to the existing neighborhoods in this area. Staff recommends for approval of this request.

The applicant should also be aware that if this Specific Use Permit is approved to allow this use, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, flood plain, 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

City of Texarkana, Texas

Fiscal Implications:

Not applicable.

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-103 ORD granting SUP at Richmond and Airline (DOCX)
- b. 2020-103 EXH 'A' (legal description) (PDF)
- c. 2020-103 ATTH 01 (maps) (PDF)
- d. 2020-103 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:07 PM	
City Manager Shirley Jaster	City Manager Review Completed	09/25/2020
9:25 AM		
City Council Jennifer Evans	Meeting Completed	09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
 David Orr briefed this agenda item.

ORDINANCE NO. 2020 -103

S-728

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-728 TO ALLOW THE LOCATION OF A MINI-WAREHOUSE DEVELOPMENT ON A PORTION OF A 26.54-ACRE TRACT OF LAND IN THE JOHN A. TALBOT HRS, A-564, LOCATED AT THE CORNER OF RICHMOND ROAD AND AIRLINE 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 to grant a **Specific Use Permit** to allow the location of a mini-warehouse development on **a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’)**, located at the corner of Richmond Road and Airline 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a mini-warehouse development** 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 **Specific Use Permit Numbered S-728 to allow the location of a mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’)** located at the corner of Richmond Road and Airline Drive in the City of Texarkana, Bowie County, Texas.

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

SECTION 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: 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 **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

LEGAL DESCRIPTION

EXHIBIT 'A'
2020-103Property Description
23.818 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of these certain tracts of land described as Tract No. 1, with 18.04 acres, Tract No. 2, with 1.32 acres, Tract No. 3, with 1.187 acres, and Tract No. 4, with 2.13 acres in the deed from William Eli Sparks and William Moore McKemie, as Joint Independent Executors of the Will and Estate of Ida Lou Moore Ames to Amy Alicia Beasley Horrell, dated January 1, 2004, recorded in Volume 3392, Page 329 of the Real Property Records of Bowie County, Texas, said Tract No. 2 being the same tract of land described as 1.32 acres in the deed from Emma Ames to Walden Ames, dated October 28, 1959, recorded in Volume 377, Page 324 of the Deed Records of Bowie County, Texas, said Tract No. 4 being the same tract of land described as 2.13 acres in the deed from Emma Ames to Walden Ames, at ux, dated March 20, 1960, recorded in Volume 382, Page 497 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 3 acres in the deed from Emma Ames to Walden Ames, at ux, dated October 22, 1954, recorded in Volume 317, Page 241 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 2 acres in the deed from Ezra C. Ames, at ux, to Walden D. Ames, at ux, dated August 1953, recorded in Volume 305, Page 44 of the Deed Records of Bowie County, Texas, some being that certain tract of land described as Tract No. 2, with 2 acres in the deed from Emma Ames to Ezra C. Ames, dated August 22, 1947, recorded in Volume 240, Page 79 of the Deed Records of Bowie County, Texas, said 3 acre tract and 2 acre tract were given to Amy Alicia Beasley in the Will and Estate of Ida Lou Moore Ames, whose will was probated in Cause No. 37,627 in the County Court of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for a corner (control monument), lying in the South right-of-way line of Ames-Dale Drive, the Northeast corner of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, at ux, to Jack A. Weaver, at ux, dated January 17, 2002, recorded in Volume 3627, Page 130 of the Real Property Records of Bowie County, Texas, some being that certain tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, at ux, dated May 25, 1979, recorded in Volume 649, Page 634 of the Deed Records of Bowie County, Texas;

THENCE North 87 degrees 22 minutes 30 seconds East a distance of 1001.95 feet along the South right-of-way line of the said Ames-Dale Drive, generally and partially along a 1 inch steel pipe found for a corner, lying in the East line of the said 18.04 acre tract, the Northeast corner of that certain tract of land described as 4.3662 acres in the deed from Regions Bank, Trustee for the Georgia-More South Park Management Trust, to Aldersgate Trust, dated December 31, 2008, recorded in Volume 5533, Page 333 of the Real Property Records of Bowie County, Texas;

THENCE South 06 degrees 35 minutes 17 seconds East a distance of 494.42 feet along the East line of the said 18.04 acre tract, the West line of the said 4.3662 acre tract, and generally along a fence to a 5/8 inch steel rod found for a corner, the Southwest corner of the said 4.3662 acre tract, the Northwest corner of Lot No. 1 of the Amended Cornerstone Minor Plat, according to the plat recorded in Volume 5748, Page 25 of the Real Property Records of Bowie County, Texas;

THENCE South 03 degrees 59 minutes 27 seconds East a distance of 244.58 feet along the East line of the said 18.04 acre tract, the East line of the said 3 acre tract, the West line of the said Lot No. 1, and generally along a fence to a 3/4 inch steel rod found for a corner in the top of a 4 inch wood post, at an angle point of the said Lot No. 1;

THENCE South 60 degrees 36 minutes 17 seconds West a distance of 326.87 feet passing a 1/2 inch steel rod found for a corner, capped Texas MG 5780, on outside of corner, the said Lot No. 2, the Northeast corner of Lot No. 2 of the said Minor Plat, continuing in at a distance of 650.62 feet along the North line of the said Lots No. 1 and 2, and generally along a fence to a 1/2 inch steel rod found for a corner, capped Texas MG 5780, the Northeast corner of the said Lot No. 2, the Northeast corner of that certain tract of land described as 0.993 acres in the deed from Joe C. Daniels, at ux, to Amy Tarrara, dated December 19, 1994, recorded in Volume 2248, Page 235 of the Real Property Records of Bowie County, Texas;

THENCE South 60 degrees 46 minutes 41 seconds West a distance of 110.16 feet along the North line of the said 0.993 acre tract and generally along a fence to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Southeast corner of that certain tract of land described as 0.994 acres in the deed from Amy Horrell to MJD Leasing, LLC, dated March 19, 2012, recorded in Volume 6204, Page 19 of the Real Property Records of Bowie County, Texas;

THENCE North 29 degrees 12 minutes 28 seconds West a distance of 187.00 feet along the East line of the said 0.994 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Northeast corner of the said 0.994 acre tract;

THENCE South 60 degrees 46 minutes 32 seconds West a distance of 241.31 feet along the North line of the said 0.994 acre tract a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in a circular curve to the left in the East right-of-way line of Farm-to-Market Road 559 (Richmond Road), the Northwest corner of the said 0.994 acre tract;

THENCE in a Northwesterly direction along the arc of the said circular curve, of a distance of 114.90 feet passing a TxDOT Type II right-of-way marker found for a reference, continuing in at a distance of 384.40 feet, with a delta angle of 11 degrees 09 minutes 09 seconds, a radius of 1874.86 feet, a chord bearing of North 42 degrees 30 minutes 31 seconds West, and a chord distance of 383.79 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the intersection of the East right-of-way line of the said Richmond Road and the East right-of-way line of Airline Drive;

THENCE North 33 degrees 32 minutes 24 seconds West a distance of 74.57 feet along the East right-of-way line of the said Airline Drive to a TxDOT Type II right-of-way marker found for a corner, at an angle point;

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 51.64 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE North 84 degrees 40 minutes 55 seconds East a distance of 226.15 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE North 01 degrees 46 minutes 48 seconds East a distance of 145.39 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE South 84 degrees 06 minutes 31 seconds West a distance of 242.02 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the East right-of-way line of the said Airline Drive;

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 164.84 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod found for a corner, lying in the South line of the said 1.959 acre tract;

THENCE North 88 degrees 11 minutes 58 seconds East a distance of 240.94 feet along the South line of the said 1.959 acre tract to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of the said 1.959 acre tract;

THENCE North 04 degrees 09 minutes 24 seconds West (basis of bearings) a distance of 299.49 feet along the East line of the said 1.959 acre tract to the point of beginning and containing 23.818 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of North 04 degrees 09 minutes 24 seconds West. This description is based on the survey and plot made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on January 28, 2013.

Property Description
1.752 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of that certain tract of land described as 1.859 acres in the deed from Timothy Wayne Hackworth, and wife Doreen Wren Hackworth to Jack A. Weaver, and wife Eunice Weaver, dated January 17, 2002, recorded in Volume 3627, Page 129 of the Real Property Records of Bowie County, Texas, being that same tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, and wife Tomar Lena Wood, dated May 25, 1979, recorded in Volume 649, Page 634, Real Property Records, 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 lying in the South line of the said 1.959 acre tract, the Southeast corner of that certain tract of land described as 0.029 acres in the deed from Eunice Caroline Weaver to the State of Texas, dated June 2, 2008, recorded in Volume 4933, Page 166 of the Real Property Records of Bowie County, Texas, said corner bears South 86 degrees 11 minutes 58 seconds West a distance of 15.67 feet passing the Southeast corner of the said 0.029 acre tract, continuing in at a total distance of 41.05 feet to the Southwest corner of the said 1.959 acre tract;

THENCE North 04 degrees 27 minutes 56 seconds West a distance of 16.77 feet along the East line of the said 0.029 acre tract to a TxDOT Type II right-of-way marker found for a corner at an angle point;

THENCE North 11 degrees 15 minutes 03 seconds West a distance of 108.38 feet to a TxDOT Type II right-of-way marker found for a corner at an angle point;

THENCE North 04 degrees 27 minutes 56 seconds West a distance of 5.65 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Northeast corner of the said 0.029 acre tract;

THENCE South 85 degrees 32 minutes 04 seconds West a distance of 2.39 feet along the North line of the said 0.029 acre tract to a TxDOT Type II right-of-way marker found for a corner, the Northwest corner of the said 0.029 acre tract;

THENCE North 04 degrees 15 minutes 16 seconds West a distance of 174.67 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the North line of the said 1.959 acre tract and the South right-of-way line of Ames-Dale Drive, said corner bears South 87 degrees 19 minutes 13 seconds West a distance of 23.78 feet to the Northwest corner of the said 1.959 acre tract;

THENCE North 87 degrees 19 minutes 13 seconds East a distance of 257.22 feet along the North line of the said 1.959 acre tract and the South right-of-way line of the said Ames-Dale Drive, to a 5/8 inch steel rod found for a corner (control monument), the Northeast corner of the said 1.959 acre tract;

THENCE South 04 degrees 09 minutes 24 seconds East (basis of bearings) a distance of 299.49 feet along the East line of the said 1.959 acre tract to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of the said 1.959 acre tract;

THENCE South 86 degrees 11 minutes 58 seconds West a distance of 240.94 feet along the South line of the said 1.959 acre tract to the point of beginning and containing 1.752 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of South 04 degrees 09 minutes 24 seconds East. This description is based on the survey and plot made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on January 28, 2013.

Property Description
0.970 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of that certain tract of land described Tract No. 1, with 18.04 acres in the deed from William Eli Sparks and William Moore McKemie, as Joint Independent Executors of the Will and Estate of Ida Lou Moore Ames to Amy Alicia Beasley Horrell, dated January 1, 2004, recorded in Volume 3392, Page 329 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 set for a corner, capped MTG 101011-00, lying in the East right-of-way line of Airline Drive, said corner bears South 04 degrees 28 minutes 00 seconds East a distance of 16.00 feet to a TxDOT Type II right-of-way marker found for a corner, at the intersection of the East right-of-way line of the said Drive and the North right-of-way line of Farm-to-Market Road 559 (Richmond Road);

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 206.48 feet along the East right-of-way line of the said Drive to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, said corner bears North 04 degrees 28 minutes 00 seconds West a distance of 135.87 feet to a 1/2 inch steel rod found for a reference;

THENCE North 89 degrees 24 minutes 34 seconds East a distance of 242.45 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, said corner bears North 04 degrees 50 minutes 23 seconds West a distance of 149.46 feet to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, at ux, to Jack A. Weaver, at ux, dated January 17, 2002, recorded in Volume 3627, Page 130 of the Real Property Records of Bowie County, Texas, some being that certain tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, at ux, dated May 25, 1979, recorded in Volume 649, Page 634 of the Deed Records of Bowie County, Texas, and North 04 degrees 09 minutes 24 seconds West (basis of bearings) a distance of 299.49 feet to a 5/8 inch steel rod found for a corner (control monument), the Northeast corner of the said 1.959 acre tract;

THENCE South 04 degrees 50 minutes 23 seconds East a distance of 6.57 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

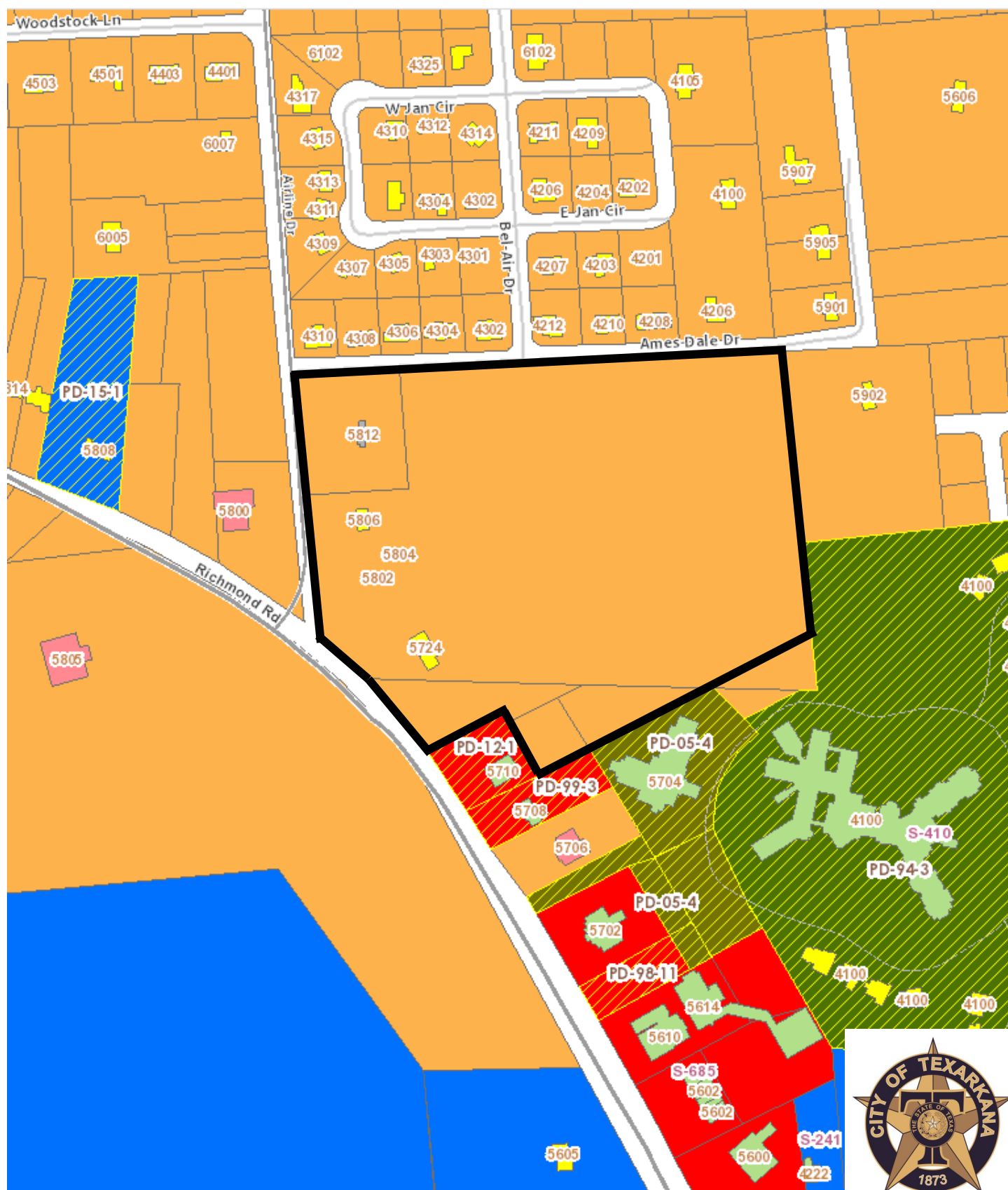
THENCE South 01 degrees 58 minutes 29 seconds West a distance of 149.93 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE South 76 degrees 48 minutes 36 seconds West a distance of 227.76 feet to the point of beginning and containing 0.970 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of North 04 degrees 09 minutes 24 seconds West.

This description is based on the survey and plot made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on December 21, 2012, and revised on March 15, 2013.

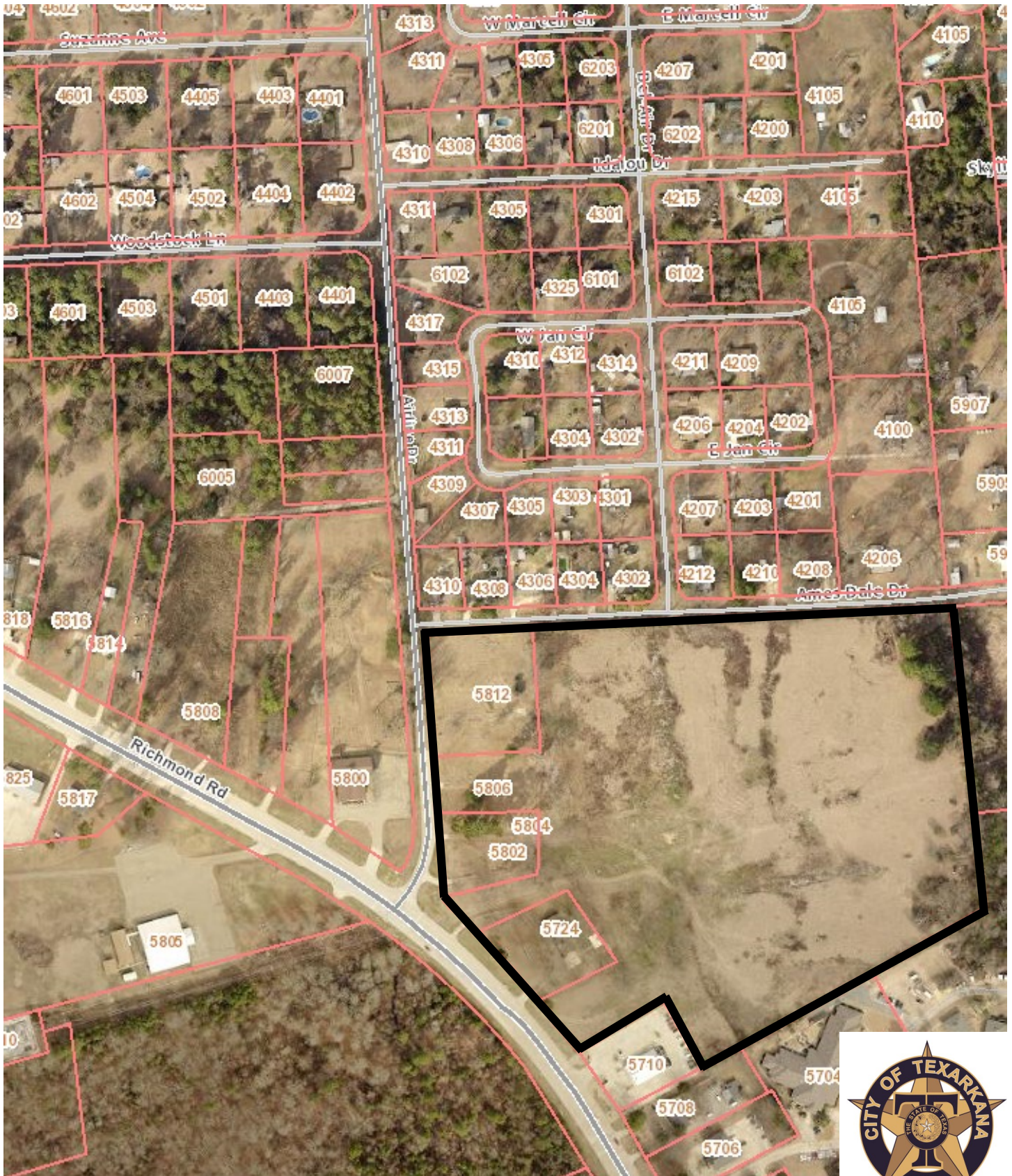
Corner of Richmond Rd & Airline Dr



Attachment: 2020-103 ATTH 01 (maps) (2367 : 2020-103 ORD: SUP at the Corner of Richmond Rd and Airline Drive)



Corner of Richmond Rd & Airline Dr



Attachment: 2020-103 ATTH 01 (maps) (2367 : 2020-103 ORD: SUP at the Corner of Richmond Rd and Airline Drive)



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:

City of Texarkana, Texas

Version: A

Briefing Sheet**Update Date:** 9/18/2020 1:49 PM

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2020-104 amending PD-20-4 for site plan approval to allow a mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent.

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

This is a request for site plan approval by Cheney Pruett, dba Ames Development, LLC, owner and Kayla Wood, MTG Engineering and Surveyors, agent, on a portion of a 26.54 acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. The proposed use for this portion is a mini-warehouse development. The proposed overall use for the entire tract of land is a mixed-use area (mini-warehouses, retail, restaurants and offices). The proposed mini-warehouse development is the first phase of this project. This property is mostly vacant land.

The adjacent zoning is Single Family-1 to the north, east and west. The zoning to the south is PD-General Retail and PD-Multiple Family-2. The adjacent land use is residences to the north, a restaurant and retirement center to the south, a church and cemetery to the west, and vacant land to the east.

The site plan (Exhibit 'A') consists of the following:

1. Ten (10) separate warehouse buildings and an office with a total of 145,280 overall square footage.
2. Ten (10) parking spaces and one (1) handicapped space.
3. Buildings facing Richmond Road will have brick/stone/EFIS exterior.
4. All non-visible buildings will be metal.
5. A multi-tenant 10' x 12' brick/stone/efis monument style sign to be located at entrance off Richmond Road.
6. Fencing or a landscape buffer between retail and adjacent residentially zoned properties.

City of Texarkana, Texas

7. A detention basin at the northeast corner of the overall development.

The proposed new street access into this proposed development will be located on the improved section of Airline Drive. Access points to the lots fronting on Richmond Road and Airline Drive will be determined as further development occurs and as per the City's driveway permitting process. All driveways off of Richmond Road must be approved by TXDOT.

This property is proposed to be platted in the future. The proposed lots are outlined in red on the attached site plan.

The applicant should also be aware that if this request is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, flood plain, 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:

Not applicable.

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-104 ORD site plan app. at Richmond and Airline (DOCX)
- b. 2020-104 EXH 'A' (Site plan)(PDF)
- c. 2020-104 EXH 'B' (legal description)(PDF)
- d. 2020-104 ATTH 01 (maps) (PDF)
- e. 2020-104 ATTH 02 (photos of exterior) (PDF)
- f. 2020-104 Goals & Perspectives (DOCX)

Staff Coordination

City of Texarkana, Texas

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:12 PM	
City Manager Shirley Jaster	City Manager Review Completed	09/25/2020
9:29 AM		
City Council Jennifer Evans	Meeting Completed	09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

Amendment to
PD-20-4(GR)

ORDINANCE NO. 2020 -104

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-20-4(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A MINI-WAREHOUSE DEVELOPMENT ON A PORTION OF A 26.54- ACRE TRACT OF LAND IN THE JOHN A. TALBOT HRS, A-564, LOCATED AT THE CORNER OF RICHMOND ROAD AND AIRLINE 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 requesting the approval of a **site plan (Exhibit ‘A’)** to **allow the location of mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘B’)** located at the corner of Richmond Road and Airline Drive in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Office [PD-20-4(GR)] and approval of the site plan (**Exhibit ‘A’**) would constitute an amendment to PD-20-4(GR); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; 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 afforded and held full and fair hearings 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 five (5) 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.

Attachment: 2020-104 ORD site plan app. at Richmond and Airline [Revision 1] (2368 : 2020-104 ORD Amendment to PD-20-4 at Richmond Rd

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 a **mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘B’), located at the corner of Richmond Road and Airline Drive** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-20-4(GR).

SECTION 2: PD-04-2(O) is hereby amended by approval of the site plan (**Exhibit ‘A’**), incorporated herein by reference for all purposes and includes the following:

1. Ten (10) separate warehouse buildings and an office with a total of 145,280 overall square footage.
2. Ten (10) parking spaces and one (1) handicapped space.
3. Buildings facing Richmond Road will have brick/stone/EFIS exterior.
4. All non-visible buildings will be metal.
5. A multi-tenant 10’ x 12’ brick/stone/efis monument style sign to be located at entrance off Richmond Road.
6. Fencing or a landscape buffer between retail and adjacent residentially zoned properties.
7. A detention basin at the northeast corner of the overall development.

SECTION 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 **12th day of October, 2020.**

ATTEST:

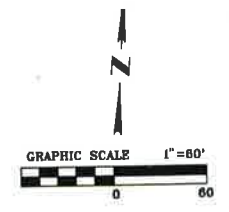
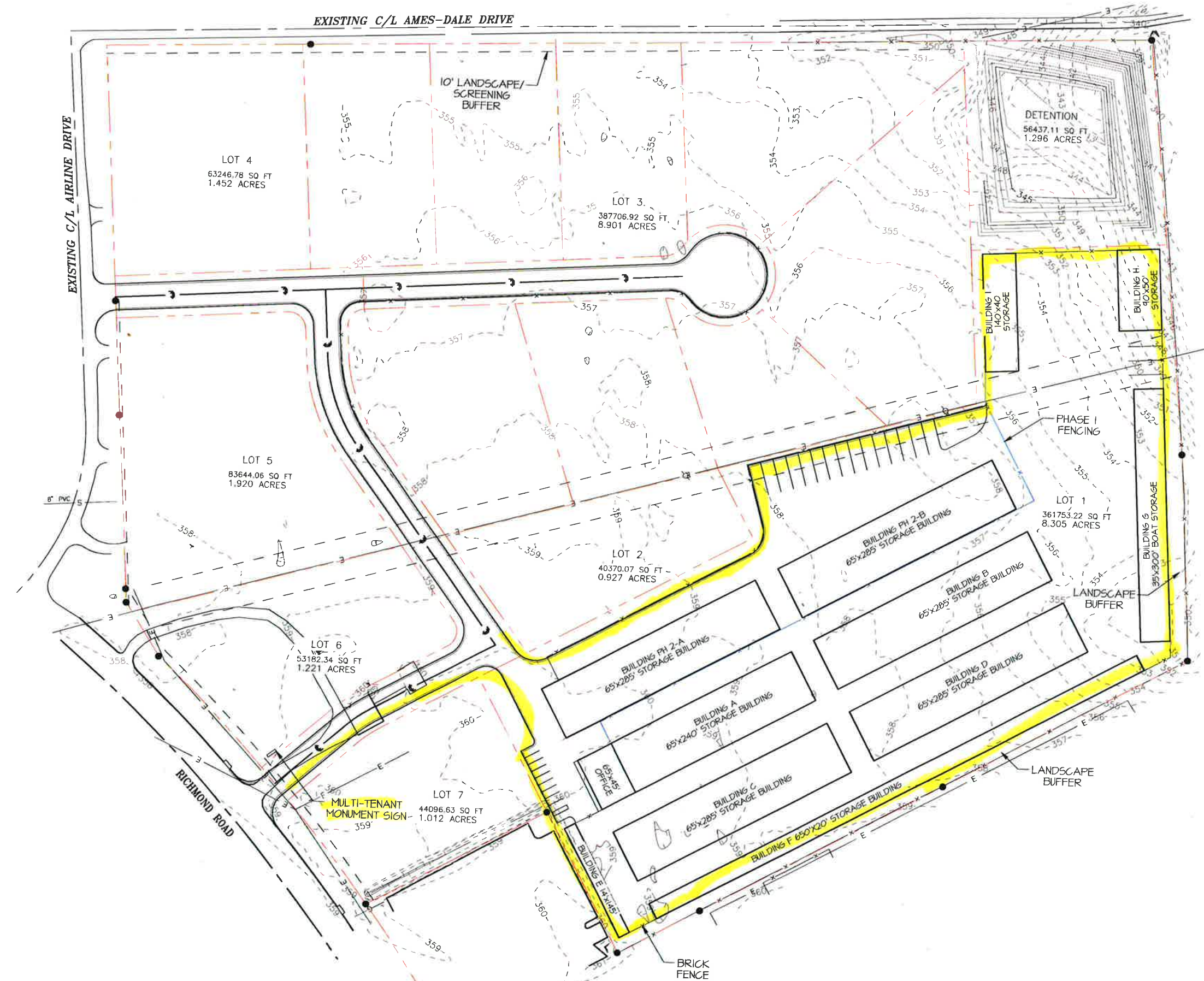
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2020-104

SITE PLAN

EXH 'A'



LEGEND	
	PROPERTY LINE
	CURB AND GUTTER
	BUILDING EDGE
	EDGE OF PAVEMENT
	EASEMENT
	BUILDING LINE OFFSET
	TOE OF DITCH/SLOPE
	TOP OF BANK
	OVERHEAD POWER LINE
	WATER MAIN
	SANITARY SEWER MAIN
	TELEPHONE LINE
	PROPOSED CONTOUR INT.
	EXISTING CONTOUR INT.
	SILT FENCE
	STORM DRAIN
	FIRE LANE
	SPOT ELEVATION
	POWER POLE
	WATER METER
	WATER VALVE
	CLEAN OUT
	SANITARY SEWER MANHOLE
	STORM DRAIN MANHOLE
	SIGN (TYPICAL)
	HANDICAP PARKING SYMBOL (PAINTED)
	FIRE HYDRANT
	LIGHT POLE
	GAS REGULATOR
	IRRIGATION CONTROL VALVE
	SPRINKLER HEAD
	ROOF DRAIN
	TELEPHONE JUNCTION BOX
	ELECTRIC JUNCTION BOX
	GUY WIRE
	TREE

Storage Facility\05 Engineering Design\Design\02.dwg

Attachment: 2020-104 EXH 'A' (Site plan) (2368 : 2020-104 ORD Amendment to PD-20-4 at Richmond Rd and Airline Dr)

engineers

LEGAL DESCRIPTION

EXHIBIT 'B'
2020-104Property Description
23.818 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of those certain tracts of land described as Tract No. 1, with 18.04 acres, Tract No. 2, with 1.32 acres, Tract No. 3, with 1.187 acres, and Tract No. 4, with 2.13 acres in the deed from William El Sparks and William Moore to McKemie, as Joint Independent Executors of the Will and Estate of Ida Lou Moore Ames to Amy Alicia Beasley Herrell, dated January 1, 2004, recorded in Volume 3392, Page 329 of the Real Property Records of Bowie County, Texas, said Tract No. 2 being the same tract of land described as 1.32 acres in the deed from Emma Ames to Weldon Ames, dated October 28, 1958, recorded in Volume 377, Page 324 of the Deed Records of Bowie County, Texas, said Tract No. 4 being the same tract of land described as 2.13 acres in the deed from Emma Ames to Weldon Ames, et ux, dated March 28, 1960, recorded in Volume 382, Page 497 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 3 acres in the deed from Emma Ames to Weldon Ames, et ux, dated October 22, 1954, recorded in Volume 317, Page 241 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 2 acres in the deed from Ezra L. Ames, et ux, to Weldon D. Ames, et ux, dated August 1953, recorded in Volume 305, Page 44 of the Deed Records of Bowie County, Texas, some being that certain tract of land described as Tract No. 2, with 2 acres in the deed from Emma Ames to Ezra L. Ames, dated August 22, 1947, recorded in Volume 240, Page 79 of the Deed Records of Bowie County, Texas, said 3 acre tract and 2 acre tract were given to Amy Alicia Beasley in the Will and Estate of Ida Lou Moore Ames, whose will was probated in Cause No. 37,627 in the County Court of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for a corner (control monument), lying in the South right-of-way line of Ames-Dole Drive, the Northeast corner of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, et ux, to Jack A. Weaver, et ux, dated January 12, 2002, recorded in Volume 3627, Page 130 of the Real Property Records of Bowie County, Texas, some being that certain tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, et ux, dated May 25, 1979, recorded in Volume 649, Page 634 of the Deed Records of Bowie County, Texas;

THENCE North 87 degrees 22 minutes 30 seconds East a distance of 1001.95 feet along the South right-of-way line of the said Ames-Dole Drive, generally and partially along a line to a 1 inch steel rod found for a corner, lying in the East line of the said 18.04 acre tract, the Northeast corner of that certain tract of land described as 4.3682 acres in the deed from Regions Bank, Trustee for the Georgia Mae Beall Parker Management Trust, to Aldergate Trust, dated December 31, 2008, recorded in Volume 5033, Page 333 of the Real Property Records of Bowie County, Texas;

THENCE South 08 degrees 35 minutes 17 seconds East a distance of 494.42 feet along the East line of the said 18.04 acre tract, the West line of the said 4.3682 acre tract, and generally along a fence to a 5/8 inch steel rod found for a corner, the Southwest corner of the said 4.3682 acre tract, the Northwest corner of Lot No. 1 of the Amended Conveyance Minor Plat according to the plat recorded in Volume 5748, Page 75 of the Real Property Records of Bowie County, Texas;

THENCE South 03 degrees 59 minutes 27 seconds East a distance of 244.58 feet along the East line of the said 18.04 acre tract, the East line of the said 3 acre tract, the West line of the said Lot No. 1, and generally along a fence to a 300 nail found for a corner in the top of a 4 inch wood post, at an angle point of the said Lot No. 1;

THENCE South 60 degrees 36 minutes 17 seconds West a distance of 326.87 feet passing a 1/2 inch steel rod found for a corner, capped MTG 101011-00, on outside of corner of the said Lot No. 1, the Northeast corner of Lot No. 2 of the said Minor Plat, continuing in all a distance of 600.82 feet along the North line of the said Lots No. 1 and 2, and generally along a fence to a 1/2 inch steel rod found for a corner, capped Texas MG 5760, the Northwest corner of the said Lot No. 2, the Northeast corner of that certain tract of land described as 0.994 acres in the deed from Joe C. Daniels, et ux, to Amy Forreast, dated December 19, 1994, recorded in Volume 2249, Page 235 of the Real Property Records of Bowie County, Texas;

THENCE South 60 degrees 46 minutes 41 seconds West a distance of 110.18 feet along the North line of the said 0.994 acre tract and generally along a fence to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Southwest corner of that certain tract of land described as 0.994 acres in the deed from Amy Herrell to MJO Leasing, LLC, dated March 19, 2012, recorded in Volume 6204, Page 19 of the Real Property Records of Bowie County, Texas;

THENCE North 29 degrees 13 minutes 28 seconds West a distance of 187.00 feet along the East line of the said 0.994 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Northeast corner of the said 0.994 acre tract;

THENCE South 60 degrees 46 minutes 32 seconds West a distance of 241.31 feet along the North line of the said 0.994 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in a circular curve to the left in the East right-of-way line of Farm-to-Market Road 559 (Richmond Road), the Northeast corner of the said 0.994 acre tract;

THENCE in a northeasterly direction along the arc of the said circular curve, at a distance of 114.80 feet passing a TxDOT Type II right-of-way marker found for a reference, continuing in all a distance of 384.40 feet, with a deflection angle of 11 degrees 09 minutes 09 seconds, a radius of 1974.86 feet, a chord bearing of North 42 degrees 30 minutes 31 seconds West, and a chord distance of 383.79 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the intersection of the East right-of-way line of the said Richmond Road and the East right-of-way line of Airline Drive;

THENCE North 33 degrees 32 minutes 24 seconds West a distance of 74.57 feet along the East right-of-way line of the said Airline Drive to a TxDOT Type II right-of-way marker found for a corner, at an angle point;

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 51.64 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE North 84 degrees 40 minutes 55 seconds East a distance of 226.15 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE North 01 degrees 46 minutes 48 seconds East a distance of 145.39 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE South 84 degrees 06 minutes 31 seconds West a distance of 242.02 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the East right-of-way line of the said Airline Drive;

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 154.84 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod found for a corner, lying in the South line of the said 1.959 acre tract;

THENCE North 86 degrees 11 minutes 58 seconds East a distance of 240.94 feet along the South line of the said 1.959 acre tract to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of the said 1.959 acre tract;

THENCE North 04 degrees 09 minutes 24 seconds West (basis of bearings) a distance of 299.49 feet along the East line of the said 1.959 acre tract to the point of beginning and containing 23.818 acres of land, at the line of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of North 04 degrees 09 minutes 24 seconds West. This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on January 26, 2013.

Property Description
1.752 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, et ux, to Jack A. Weaver, et ux, dated January 12, 2002, recorded in Volume 3627, Page 129 of the Real Property Records of Bowie County, Texas, being that same tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, et ux, dated May 25, 1979, recorded in Volume 649, Page 634 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 lying in the South line of the said 1.959 acre tract, the Southeast corner of that certain tract of land described as 0.029 acres in the deed from Eunice Caroline Weaver to the State of Texas, dated June 2, 2006, recorded in Volume 4933, Page 166 of the Real Property Records of Bowie County, Texas, said corner bears South 86 degrees 11 minutes 58 seconds West a distance of 15.67 feet passing the Southwest corner of the said 0.029 acre tract, continuing in all a total distance of 41.05 feet to the Southwest corner of the said 1.959 acre tract;

THENCE North 04 degrees 27 minutes 56 seconds West a distance of 16.77 feet along the East line of the said 0.029 acre tract to a TxDOT Type II right-of-way marker found for a corner at an angle point;

THENCE North 11 degrees 15 minutes 03 seconds West a distance of 108.38 feet to a TxDOT Type II right-of-way marker found for a corner at an angle point;

THENCE North 04 degrees 27 minutes 56 seconds West a distance of 5.65 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Northeast corner of the said 0.029 acre tract;

THENCE South 85 degrees 32 minutes 04 seconds West a distance of 2.39 feet along the North line of the said 0.029 acre tract to a TxDOT Type II right-of-way marker found for a corner, the Northwest corner of the said 0.029 acre tract;

THENCE North 04 degrees 15 minutes 16 seconds West a distance of 174.67 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the North line of the said 1.959 acre tract and the South right-of-way line of Ames-Dole Drive, said corner bears South 87 degrees 19 minutes 13 seconds West a distance of 25.78 feet to the Northwest corner of the said 1.959 acre tract;

THENCE North 87 degrees 19 minutes 13 seconds East a distance of 257.22 feet along the North line of the said 1.959 acre tract and the South right-of-way line of the said Ames-Dole Drive, to a 5/8 inch steel rod found for a corner (control monument), the Northeast corner of the said 1.959 acre tract;

THENCE South 04 degrees 09 minutes 24 seconds East (basis of bearings) a distance of 299.49 feet along the East line of the said 1.959 acre tract to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of the said 1.959 acre tract;

THENCE South 86 degrees 11 minutes 58 seconds West a distance of 240.94 feet along the South line of the said 1.959 acre tract to the point of beginning and containing 1.752 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of South 04 degrees 09 minutes 24 seconds East.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on January 26, 2013.

Property Description
0.970 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Tolbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of that certain tract of land described as Tract No. 1, with 18.04 acres in the deed from William El Sparks and William Moore to McKemie, as Joint Independent Executors of the Will and Estate of Ida Lou Moore Ames to Amy Alicia Beasley Herrell, dated January 1, 2004, recorded in Volume 3392, Page 329 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 set for a corner, capped MTG 101011-00, lying in the East right-of-way line of Airline Drive, said corner bears South 04 degrees 28 minutes 00 seconds East a distance of 16.00 feet to a TxDOT Type II right-of-way marker found for a corner, at the intersection of the East right-of-way line of the said Drive and the North right-of-way line of Farm-to-Market Road 559 (Richmond Road);

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 206.48 feet along the East right-of-way line of the said Drive to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, said corner bears North 04 degrees 28 minutes 00 seconds West a distance of 135.87 feet to a 1/2 inch steel rod found for a reference;

THENCE North 89 degrees 24 minutes 34 seconds East a distance of 242.45 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, said corner bears North 04 degrees 50 minutes 23 seconds West a distance of 149.46 feet to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, et ux, to Jack A. Weaver, et ux, dated January 12, 2002, recorded in Volume 3627, Page 130 of the Real Property Records of Bowie County, Texas, some being that certain tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, et ux, dated May 25, 1979, recorded in Volume 649, Page 634 of the Deed Records of Bowie County, Texas, and North 04 degrees 09 minutes 24 seconds West (basis of bearings) a distance of 299.49 feet to a 5/8 inch steel rod found for a corner (control monument), the Northeast corner of the said 1.959 acre tract;

THENCE South 04 degrees 50 minutes 23 seconds East a distance of 6.57 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

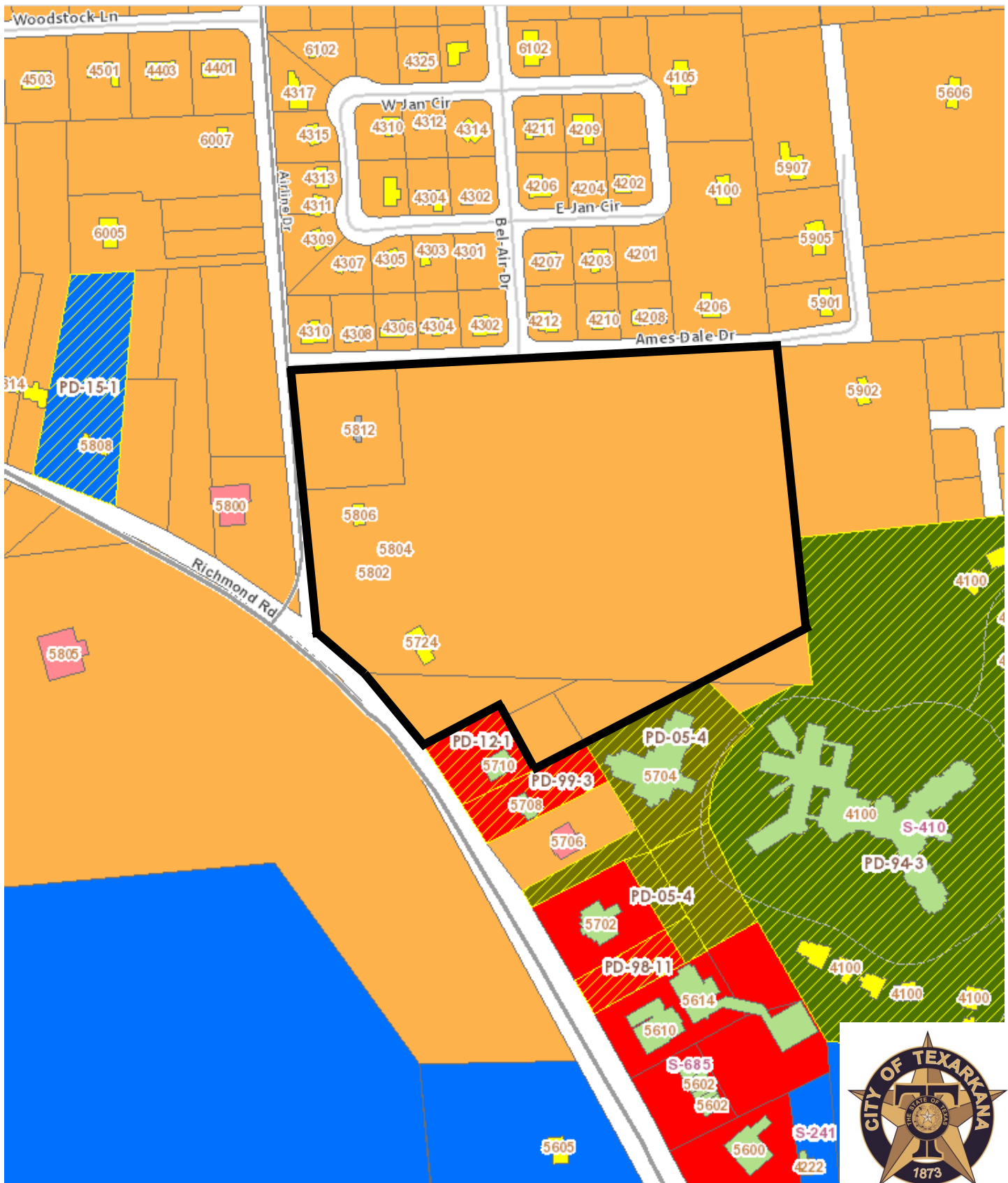
THENCE South 01 degrees 58 minutes 29 seconds West a distance of 149.93 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

THENCE South 76 degrees 48 minutes 36 seconds West a distance of 227.76 feet to the point of beginning and containing 0.970 acres of land, at the time of this survey.

The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of North 04 degrees 09 minutes 24 seconds West.

This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on December 21, 2012, and revised on March 15, 2013.

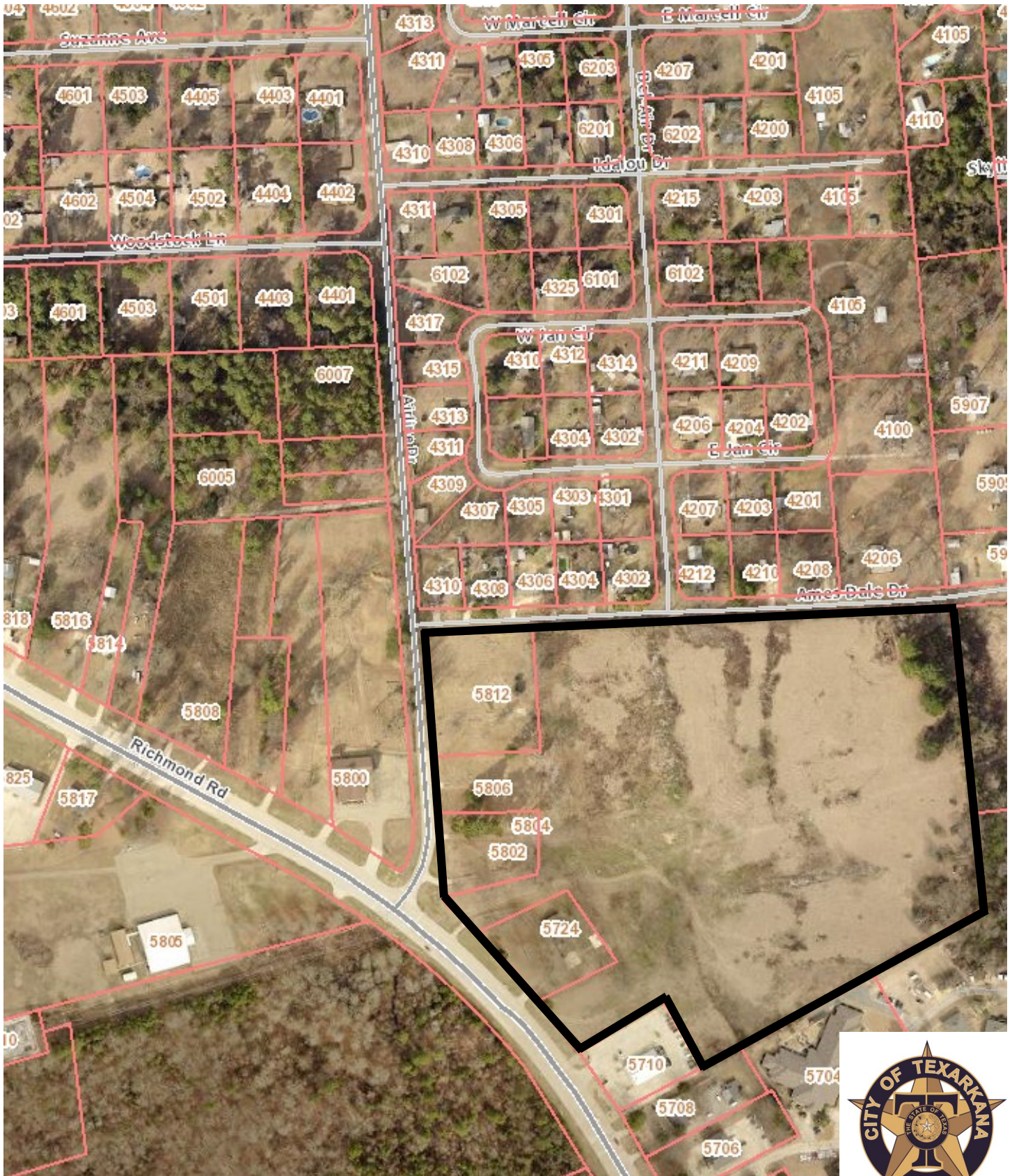
Corner of Richmond Rd & Airline Dr



Attachment: 2020-104 ATTH 01 (maps) (2368 : 2020-104 ORD Amendment to PD-20-4 at Richmond Rd and Airline Dr)



Corner of Richmond Rd & Airline Dr



Attachment: 2020-104 ATTH 01 (maps) (2368 : 2020-104 ORD Amendment to PD-20-4 at Richmond Rd and Airline Dr)





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:

City of Texarkana, Texas

Version: B

Update Date: 9/25/2020 9:37 AM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-105 rezoning Tract 60A, Flower Acres Addition, located in the 3100 block of Bender Road. Single Family-2 to Two-Family-2. Patrick Hill, applicant.
Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

Two letters in opposition to this request were presented at the September 8, 2020 Planning and Zoning Commission meeting. See attachment 2.

Executive Summary and Background Information:

This is a request by Patrick Hill, owner, to rezone Tract 60A, Flower Acres Addition, located in the 3100 block of Bender Road from Single Family-2 to Two Family-2. This property is currently vacant land. The proposed use is duplexes.

The adjacent zoning is Office to the north, and east, and General Retail to the south, and Commercial to the west. The adjacent land use is a residence to the south, a wooded area and a dilapidated structure to the north and a wooded vacant lot to the east.

The Future Land use map designated this property as "Suburban Residential".

There are multiple vacant lots along this section of Bender Road. Two mobile home parks are located to the east of this property. Duplexes could act as a transitional use between the mobile home parks to the east and the residences to the west. Therefore, staff recommends for approval of this request.

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, flood plain, 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:

Not applicable.

Staff Recommendation:

City of Texarkana, Texas

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-105 ORD rezoning 3100 blk. Bender Rd (DOCX)
- b. 2020-105 ATTH 01 (maps) (PDF)
- c. 2020-105 ATTH 02 (Letters in opposition) (PDF)
- d. 2020-105 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:13 PM	
City Manager	Shirley Jaster	City Manager Review Completed 09/25/2020
9:15 AM		
City Council	Jennifer Evans	Meeting Completed 09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

Z-20-17

ORDINANCE NO. 2020-105

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING TRACT 60A, FLOWER ACRES ADDITION, LOCATED IN THE 3100 BLOCK OF BENDER ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO TWO FAMILY-2; 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 **Tract 60A, Flower Acres Addition, located in the 3100 block of Bender Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-2**; 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Two Family-2 on Tract 60A, Flower Acres Addition, located in the 3100 block of Bender Road** 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 rezoning the property from **Single Family-2 to Two Family-2** 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 and is hereby further amended to rezone **Tract 60A, Flower Acres Addition, located in the 3100 block of Bender Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-2**.

Attachment: 2020-105 ORD rezoning 3100 blk. Bender Rd (2369 : 2020-105 ORD rezoning at 3100 Block of Bender Road)

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.

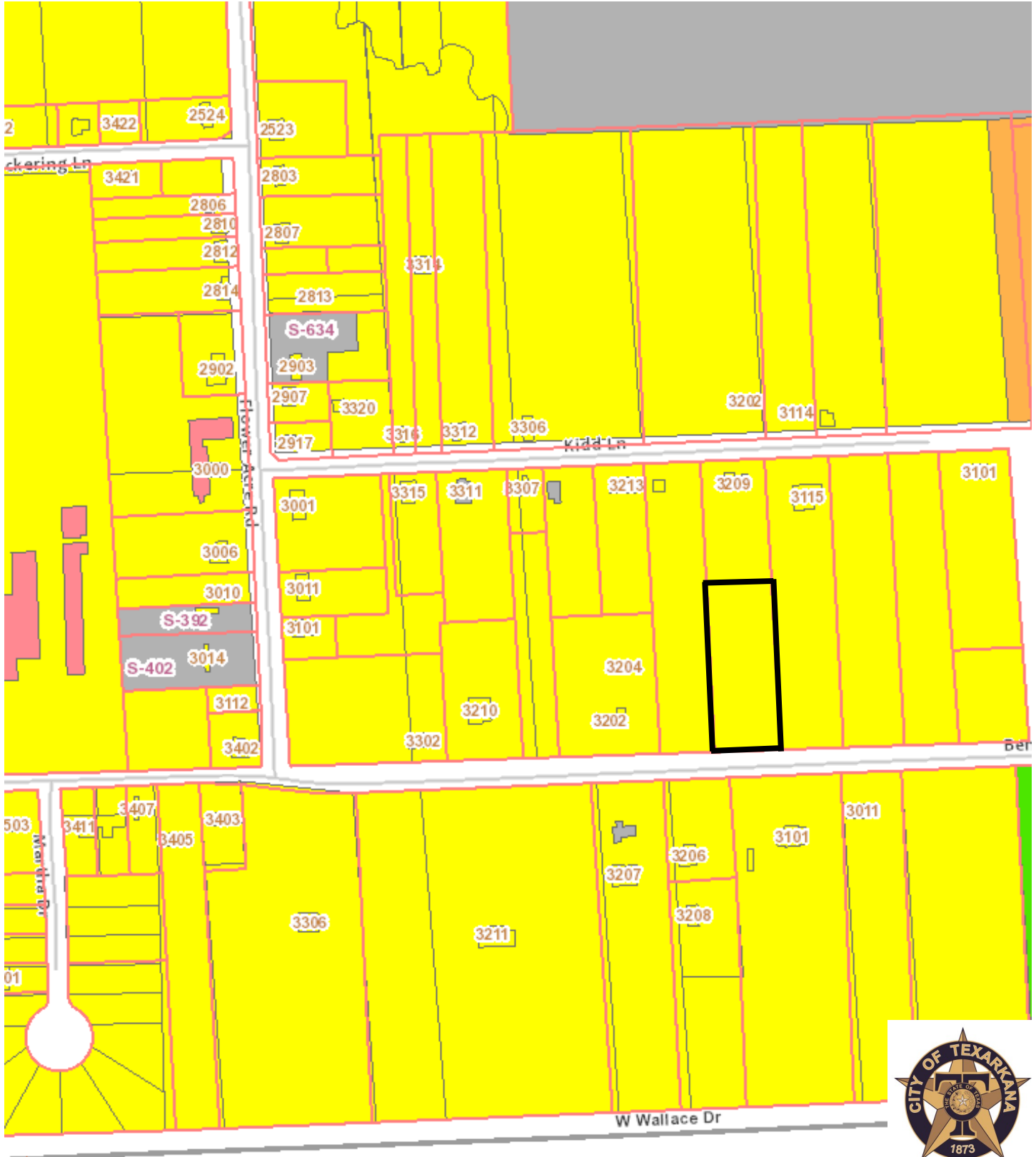
PASSED AND APPROVED in Regular Council Session on this the **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

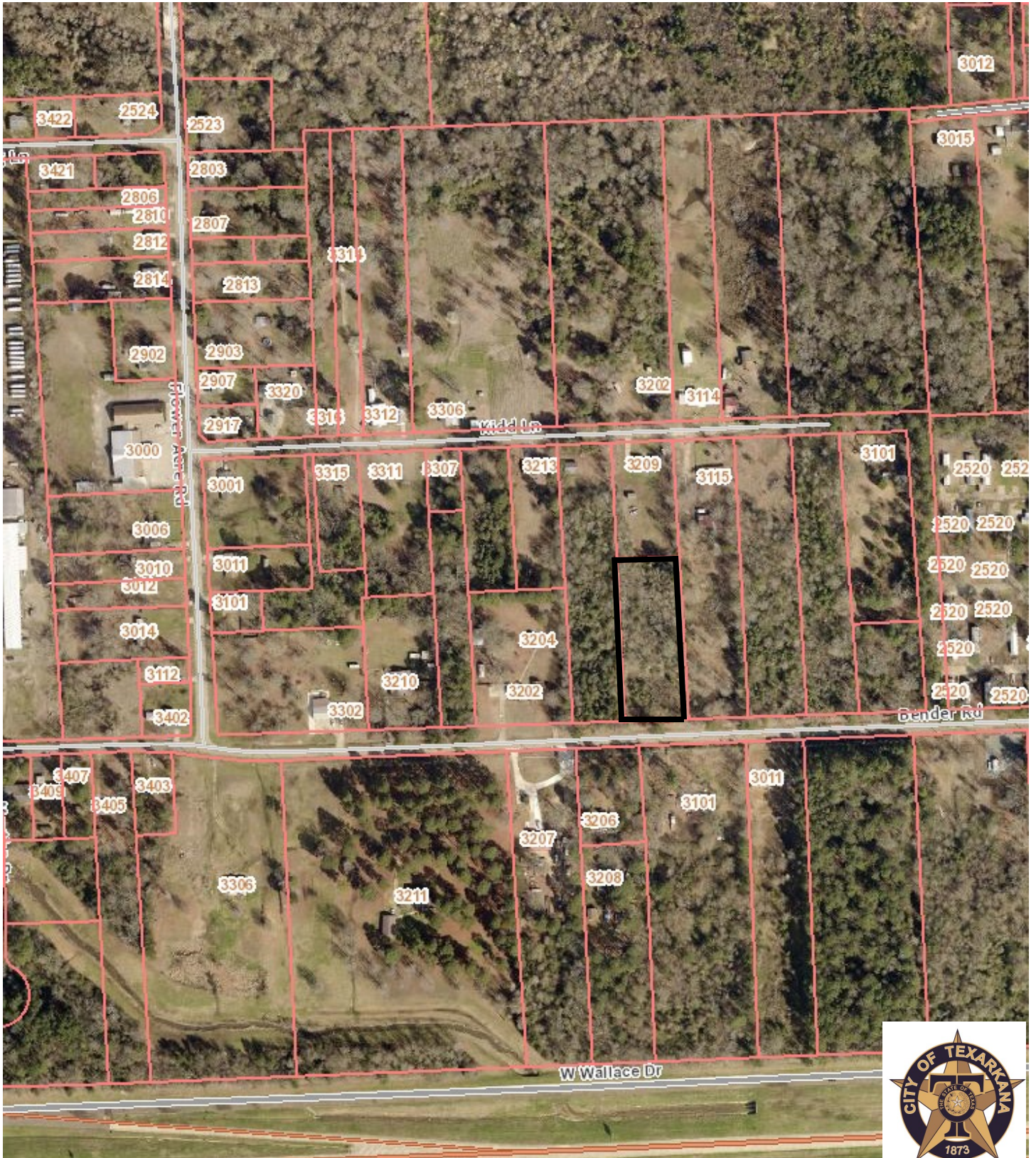
3100 Block of Bender Rd



Attachment: 2020-105 ATTH 01 (maps) (2369 : 2020-105 ORD rezoning at 3100 Block of Bender Road)



3100 Block of Bender Rd



Attachment: 2020-105 ATTH 01 (maps) (2369 : 2020-105 ORD rezoning at 3100 Block of Bender Road)



September 3, 2020

Case # Z-20-18

Paloma Q. Suarez
3115 Kidd Ln
Texarkana Texas 75501

I am a resident at 3110 Kidd Ln Texarkana Texas 75501. I am writing to OPPOSE any proposed zoning amendments to allow SINGLE FAMILY -2 (SF2)

My principal objection is the zoning changes will reduce neighborhood property values. The change to zoning will affect a very large area not far from my house. These new uses will include multifamily rental apartments. Another concern is the zoning change is not limited to new construction on vacant land. It seems obvious that this will reduce the value of all houses as well as houses nearby. I still think my investment will be affected. The property values in the entire neighborhood will decline as it gradually changes from a single family area into a multifamily area.

Aside of the constant issues to keep it mowed and the trash we have to pick up that accumulates it would ruin the quiet, disrupt nature, destroy habitat, threaten wildlife. We have the right to safety, relaxation, privacy, and quiet in our homes & this would be adversely affected by noise, increased fire risk, trash, disruption of wildlife, and potential trespassing. I urge you to NOT amend zoning.

I, along with the majority of my neighbors, are strongly opposed .This zoning change that you are being asked to consider. The fragile characteristic of this area is already being stressed. We don't see any benefits to this proposal, but we do see a lot of negatives. Here is a list of just what I can think of:

1. Disruption to the natural environment .
2. Physical pollution: Trash grows into kitchen garbage drops, discarded beds, couches, etc. (Glen Acres Mobile Home park is at the back of our property and is already an issue)
3. Potentially unsafe Discharge of firearms near inhabited areas(there are discharge of firearms occasionally)
4. Maintenance and upkeep
5. Fallen trees, wash-outs (injuries become legal liabilities)
6. Vandalism issues (vehicle ransacking in the parking lots)

Paloma Suarez
903-809-3483

Attachment: 2020-105 ATTH 02 (Letters in opposition) (2369 : 2020-105 ORD rezoning at 3100 Block of Bender Road)

September 3, 2020

Case # Z-20-18

PRQ Investments/Jose Martinez (Tenant)
3110 Kidd Ln
Texarkana Texas 75501

I am a resident at 3110 Kidd Ln Texarkana Texas 75501. I am writing to OPPOSE any proposed zoning amendments to allow SINGLE FAMILY -2 (SF2)

Dear Council,

I am writing to express my strong opposition to the proposed rezoning . While the local community may be unable to prevent development, that in itself will be detrimental to the area, nearly all residents in the neighborhood are completely opposed to the addition of multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multi family dwellings are inconsistent with the neighborhoods developed in the area. I was disappointed that only 3-4 or so notices were mailed. There was no indication of where the notifications were sent, but I suspect none were delivered into our neighborhood.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

PRQ /js

903-293-3394

Attachment: 2020-105 ATTH 02 (Letters in opposition) (2369 : 2020-105 ORD rezoning at 3100 Block of Bender Road)

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: 2020-105 Goals & Perspectives (2369 : 2020-105 ORD rezoning at 3100 Block of Bender Road)

City of Texarkana, Texas

Version: C

Update Date: 9/21/2020 11:33 AM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-106 rezoning Tracts 58C and 59, Flower Acres Addition, located in the 3000 block of Bender Road. Single Family-2 to Two Family-2. Patrick Hill, applicant.
Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

Two letters in opposition to this request were presented at the September 8, 2020 Planning and Zoning Commission meeting. See attachment 2.

Executive Summary and Background Information:

This is a request by Patrick Hill, owner, to rezone Tracts 58C and 59, Flower Acres Addition, located in the 3000 block of Bender Road from Single Family-2 to Two Family-2. This property is currently vacant land. The proposed use is duplexes.

The adjacent zoning is Single Family-2 to the north, south, east and west. The adjacent land use is a residence to the south, a wooded area and a dilapidated structure to the north and a wooded vacant lot to the east.

The Future Land use map designated this property as "Suburban Residential".

There are multiple vacant lots along this section of Bender Road. Two mobile home parks are located to the east of this property. Duplexes could act as a transitional use between the mobile home parks to the east and the residences to the west. Therefore, staff recommends for approval of this request.

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, flood plain, 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:

Not applicable.

City of Texarkana, Texas

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-106 ORD rezoning 3000 blk. Bender Rd (DOCX)
- b. 2020-106 ATTH 01 (maps) (PDF)
- c. 2020-106 ATTH 02 (letters in opposition) (PDF)
- d. 2020-106 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:13 PM	
City Manager Shirley Jaster	City Manager Review Completed	09/25/2020
9:18 AM		
City Council Jennifer Evans	Meeting Completed	09/28/2020
6:00 PM		

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

Z-20-18

ORDINANCE NO. 2020-106

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING TRACTS 58C and 59, FLOWER ACRES ADDITION, LOCATED IN THE 3000 BLOCK OF BENDER ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO TWO FAMILY-2; 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 **Tracts 58C and 59, Flower Acres Addition, located in the 3000 block of Bender Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-2**; 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 have afforded and held full and fair hearings 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 five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Two Family-2 on Tracts 58C and 59, Flower Acres Addition, located in the 3000 block of Bender Road** 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 rezoning the property from **Single Family-2 to Two Family-2** 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 and is hereby further amended to rezone **Tracts 58C and 59, Flower Acres Addition, located in the 3000 block of Bender Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-2**.

Attachment: 2020-106 ORD rezoning 3000 blk. Bender Rd (2370 : 2020-106 ORD rezoning in the 3000 block of Bender Rd)

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 **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

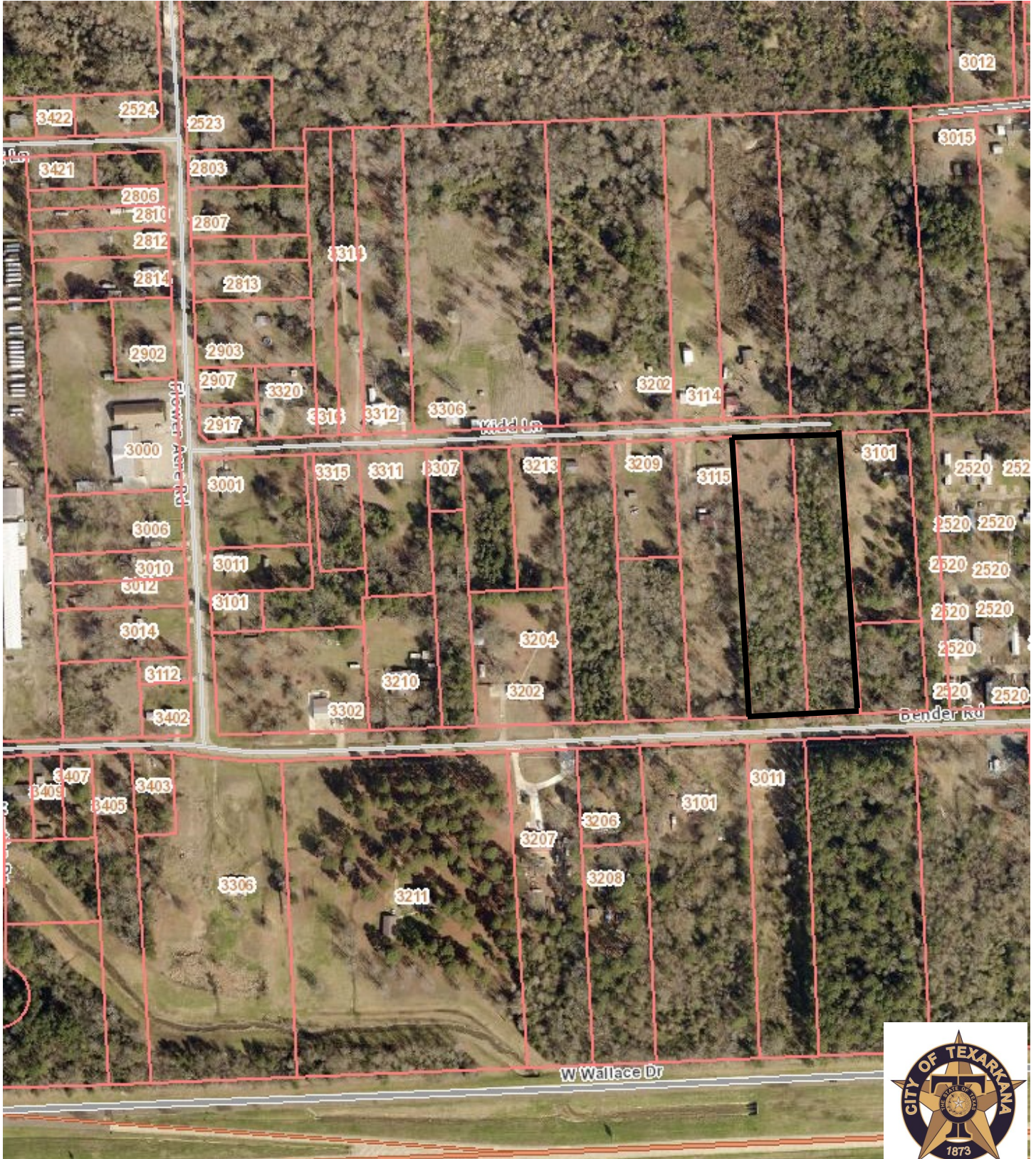
3000 Block of Bender Rd



Attachment: 2020-106 ATTH 01 (maps) (2370 : 2020-106 ORD rezoning in the 3000 block of Bender Rd)



3000 Block of Bender Rd



Attachment: 2020-106 ATTH 01 (maps) (2370 : 2020-106 ORD rezoning in the 3000 block of Bender Rd)



September 3, 2020

Case # Z-20-18

Paloma Q. Suarez
3115 Kidd Ln
Texarkana Texas 75501

I am a resident at 3110 Kidd Ln Texarkana Texas 75501. I am writing to OPPOSE any proposed zoning amendments to allow SINGLE FAMILY -2 (SF2)

My principal objection is the zoning changes will reduce neighborhood property values. The change to zoning will affect a very large area not far from my house. These new uses will include multifamily rental apartments. Another concern is the zoning change is not limited to new construction on vacant land. It seems obvious that this will reduce the value of all houses as well as houses nearby. I still think my investment will be affected. The property values in the entire neighborhood will decline as it gradually changes from a single family area into a multifamily area.

Aside of the constant issues to keep it mowed and the trash we have to pick up that accumulates it would ruin the quiet, disrupt nature, destroy habitat, threaten wildlife. We have the right to safety, relaxation, privacy, and quiet in our homes & this would be adversely affected by noise, increased fire risk, trash, disruption of wildlife, and potential trespassing. I urge you to NOT amend zoning.

I, along with the majority of my neighbors, are strongly opposed .This zoning change that you are being asked to consider. The fragile characteristic of this area is already being stressed. We don't see any benefits to this proposal, but we do see a lot of negatives. Here is a list of just what I can think of:

1. Disruption to the natural environment .
2. Physical pollution: Trash grows into kitchen garbage drops, discarded beds, couches, etc. (Glen Acres Mobile Home park is at the back of our property and is already an issue)
3. Potentially unsafe Discharge of firearms near inhabited areas(there are discharge of firearms occasionally)
4. Maintenance and upkeep
5. Fallen trees, wash-outs (injuries become legal liabilities)
6. Vandalism issues (vehicle ransacking in the parking lots)

Paloma Suarez
903-809-3483

Attachment: 2020-106 ATTH 02 (letters in opposition) (2370 : 2020-106 ORD rezoning in the 3000 block of Bender Rd)

September 3, 2020

Case # Z-20-18

PRQ Investments/Jose Martinez (Tenant)
3110 Kidd Ln
Texarkana Texas 75501

I am a resident at 3110 Kidd Ln Texarkana Texas 75501. I am writing to OPPOSE any proposed zoning amendments to allow SINGLE FAMILY -2 (SF2)

Dear Council,

I am writing to express my strong opposition to the proposed rezoning . While the local community may be unable to prevent development, that in itself will be detrimental to the area, nearly all residents in the neighborhood are completely opposed to the addition of multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multi family dwellings are inconsistent with the neighborhoods developed in the area. I was disappointed that only 3-4 or so notices were mailed. There was no indication of where the notifications were sent, but I suspect none were delivered into our neighborhood.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

PRQ /js

903-293-3394

Attachment: 2020-106 ATTH 02 (letters in opposition) (2370 : 2020-106 ORD rezoning in the 3000 block of Bender 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: 2020-106 Goals & Perspectives (2370 : 2020-106 ORD rezoning in the 3000 block of Bender Rd)

City of Texarkana, Texas

Version: B

Update Date: 9/23/2020 11:57 AM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-107 rezoning Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue. Single Family-2 to Single Family-3. Rosheaka Webster, applicant.

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rosheaka Webster, owner, to rezone Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue from Single Family-2 to Single Family-3. This property is currently vacant land.

The adjacent zoning is Single Family-2 to the north, south and east, and Single Family-3 to the west. The adjacent land use is vacant land to the north, south and west and vacant land and a residence to the east.

The Future Land use map designated this property as "Industrial".

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

The property directly across the street to the west is zoned Single Family-3. HUD code double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could also be a revitalization housing alternative to traditional site-built homes. Therefore, staff recommends for approval of this request.

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.

City of Texarkana, Texas

Potential Options:

None

Fiscal Implications:

Not applicable.

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission recommended for approval of this request by a vote of 4 to 1.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-107 ORD rezoning at 700 Block of Ward Avenue (DOCX)
- b. 2020-107 ATTH 01 (maps) (PDF)
- c. 2020-107 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Jennifer Evans	Department Head Review	
Skipped	09/23/2020 11:56 AM		
City Manager	Jennifer Evans	Review	Skipped 09/23/2020 11:58 AM
City Manager	Shirley Jaster	City Manager Review Completed	09/24/2020 3:41 PM
City Council	Jennifer Evans	Meeting	Completed 09/28/2020 6:00 PM

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

Z-20-19

ORDINANCE NO. 2020-107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 15-24, BLOCK 4, GREATER TEXARKANA ADDITION, LOCATED IN THE 700 BLOCK OF WARD AVENUE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; 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 **Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; 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 have afforded and held full and fair hearings 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 four (4) to one (1) to recommend the application for rezoning from Single Family-2 to Single Family-3 on Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue** 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 rezoning the property from **Single Family-2 to Single Family-3** 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 and is hereby further amended to rezone **Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**.

Attachment: 2020-107 ORD rezoning at 700 Block of Ward Avenue (2371 : 2020-107 ORD rezoning in the 700 block of Ward Ave.)

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 **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

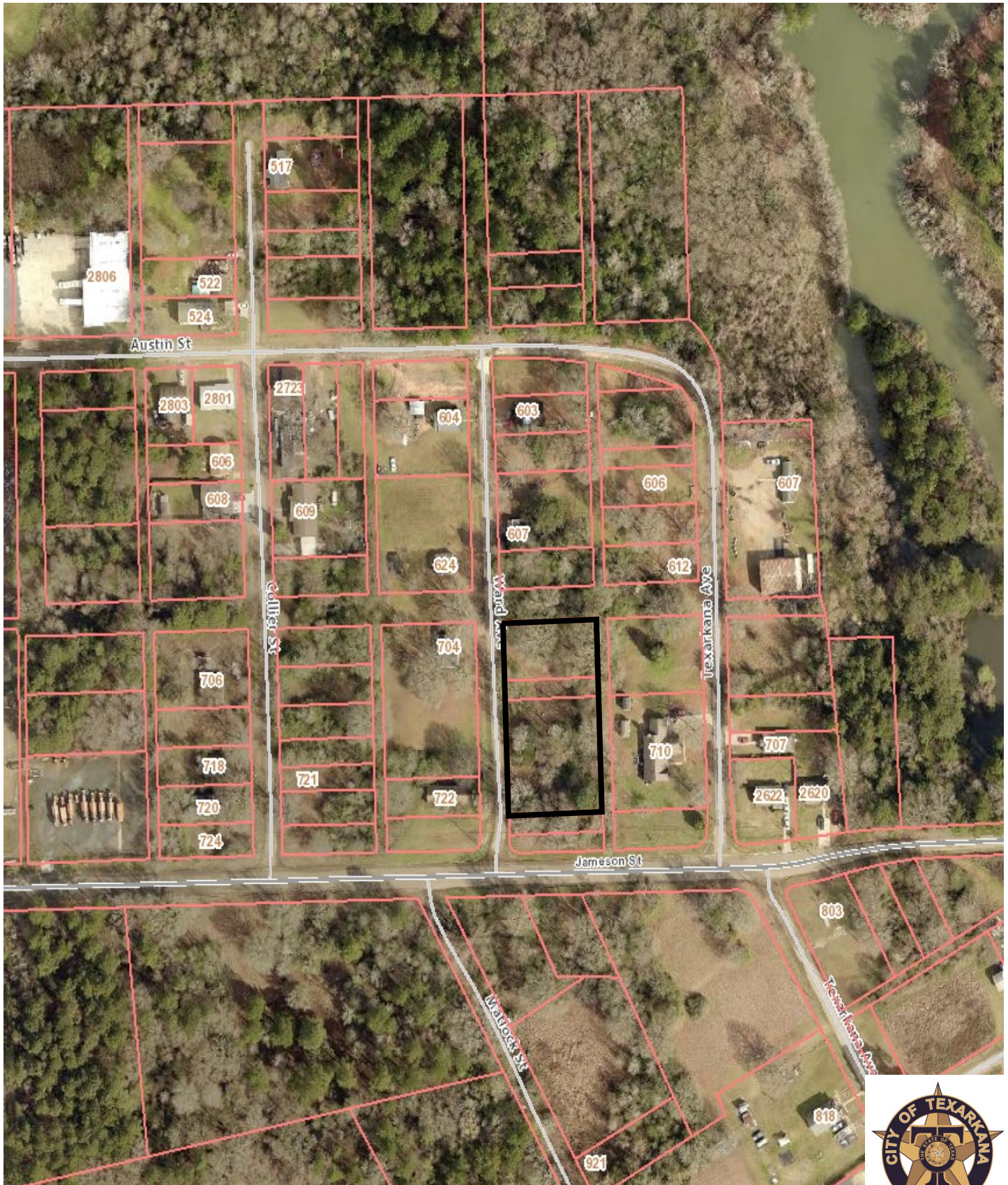
700 Block of Ward Ave.



Attachment: 2020-107 ATTH 01 (maps) (2371 : 2020-107 ORD rezoning in the 700 block of Ward Ave.)



700 Block of Ward Ave.



Attachment: 2020-107 ATTH 01 (maps) (2371 : 2020-107 ORD rezoning in the 700 block of Ward Ave.)



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: 2020-107 Goals & Perspectives (2371 : 2020-107 ORD rezoning in the 700 block of Ward Ave.)

City of Texarkana, Texas

Version: A

Update Date: 9/21/2020 4:38 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-108 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home on Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue. Rosheaka Webster, applicant.

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rosheaka Webster, owner, for a Specific Use Permit to allow the location of a double wide HUD code manufactured home on Lots 15-24, Block 4 in the Greater Texarkana Addition, located in the 700 block of Ward Avenue from Single Family-2 to Single Family-3. This property is currently vacant land.

The adjacent zoning is Single Family-2 to the north, south and east, and Single Family-3 to the west. The adjacent land use is vacant land to the north, south and west and vacant land and a residence to the east.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

There is one other tract of land located directly across the street that is currently zoned Single Family-3. HUD code double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could also be a revitalization housing alternative to traditional site-built homes.

The proposed home is a well-kept 1999 Palm Harbor model, 28' x 60' in size. Please see attached photos of the exterior and inside of the home (Exhibit 'A').

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

1. That a 1999 Palm Harbor, 20' x 60' double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.

City of Texarkana, Texas

3. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

The applicant should also be aware that if this request 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:

Not applicable

Staff Recommendation:

Staff recommends for approval with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-108 ORD granting SUP at 700 block of Ward Avenue(DOCX)
- b. 2020-108 EXH 'A' (photos of exterior of home) (PDF)
- c. 2020-108 ATTH 01 (maps) (PDF)
- d. 2020-108 ATTH 02 (photos of inside home) (PDF)
- e. 2020-108 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development
Completed

David Orr
09/18/2020 4:14 PM

Department Head Review

City of Texarkana, Texas

City Manager 11:29 AM	Shirley Jaster	City Manager Review Completed	09/23/2020
City Council 6:00 PM	Jennifer Evans	Meeting Completed	09/28/2020

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

ORDINANCE NO. 2020 -108

S-729

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-729 TO ALLOW THE LOCATION OF A DOUBLE-WIDE HUD CODE MANUFACTURED HOME ON LOTS 15-24, BLOCK 4, GREATER TEXARKANA ADDITION, LOCATED IN THE 700 BLOCK OF WARD AVENUE 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 location of a double-wide HUD code manufactured home on **Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue**, 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 have afforded and held full and fair hearings 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 **five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a double-wide HUD code manufactured home** 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 **Specific Use Permit numbered S-729 for the location of a double-wide HUD code manufactured home on Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue**, in the City of Texarkana, Bowie County, Texas.

Attachment: 2020-108 ORD granting SUP at 700 block of Ward Avenue (2372 : 2020-108 ORD SUP in the 700 block of Ward Ave.)

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

1. That a 1999 Palm Harbor, 20' x 60' double-wide HUD code manufactured home be allowed on this property. See attached photos (**Exhibit 'A'**).
2. That the double-wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double-wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas, codes.

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 **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2020-108 EXH 'A'
S-729



Attachment: 2020-108 EXH 'A' (photos of exterior of home) (2372 : 2020-108 ORD SUP in the 700 block of Ward Ave.)

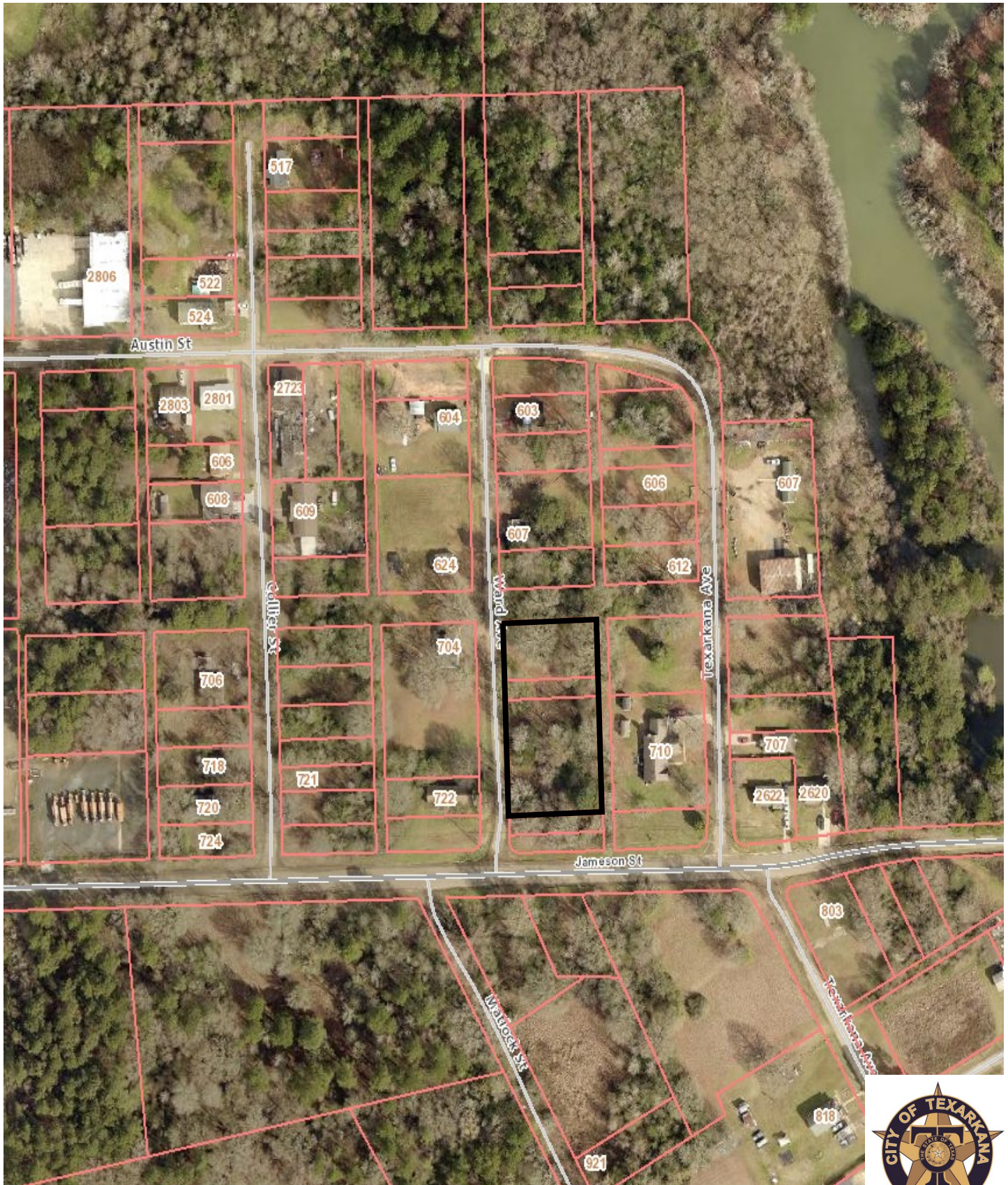
700 Block of Ward Ave.



Attachment: 2020-108 ATTH 01 (maps) (2372 : 2020-108 ORD SUP in the 700 block of Ward Ave.)



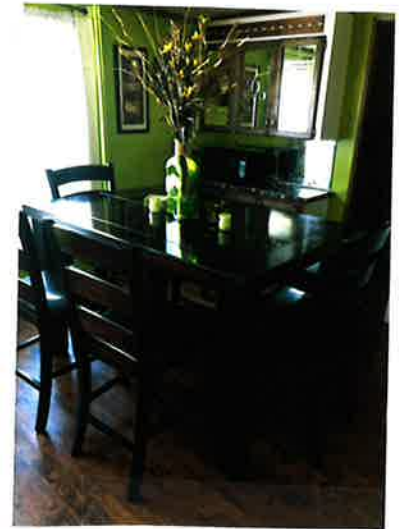
700 Block of Ward Ave.



Attachment: 2020-108 ATTH 01 (maps) (2372 : 2020-108 ORD SUP in the 700 block of Ward Ave.)



2020-108 ATTH 02
S-729



Attachment: 2020-108 ATTH 02 (photos of inside home) (2372 : 2020-108 ORD SUP in the 700 block of Ward Ave.)

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: 2020-108 Goals & Perspectives (2372 : 2020-108 ORD SUP in the 700 block of Ward Ave.)

City of Texarkana, Texas

Version: B

Update Date: 9/18/2020 1:59 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2020-109 granting a Specific Use Permit to allow permanent cosmetics and microblading in a tenant space on Lots 1, 2 and north 1/2 of Lot 3, Block 16, Bell Heights Addition, located at 4410 Texas Boulevard. Mark Looney, applicant. Linde Huddleston, agent.

Briefing: 10/12/2020 **Public Hearing:** 10/12/2020 **Council Vote:** 10/12/2020

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Mark Looney, owner, and Linde Huddleston, agent, for a Specific Use Permit to allow the location of a permanent cosmetics/microblading business in a tenant space at 4410 Texas Boulevard. The current use of the property is a hair salon.

The adjacent zoning is Office to the north across Texas Boulevard, Single Family-2 to the south, Office to the west and General Retail to the east. The adjacent land usage is a bank drive-thru to the north, offices to the east and west, and residences to the south.

This property is zoned General Retail. A Specific Use Permit is required to allow the one additional use of a permanent cosmetics/microblading business which is also considered a "tattoo" per the City's Zoning Ordinance. The State of Texas will regulate this business as to licensing and other health related issues. Several medical facilities and hair salons are now offering this type service for clients.

This request meets all city requirements to allow this one additional use on this property. There should be adequate parking for this business. Therefore, staff recommends for approval of the request.

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 permanent cosmetics/microblading 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 the Specific Use Permit be intended for the application of permanent cosmetics/microblading only.
3. That if this use ever ceases to exist at this location, the City may automatically

City of Texarkana, Texas

revoke the Specific Use Permit.

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

Potential Options:

None

Fiscal Implications:

Not applicable

Staff Recommendation:

Staff recommends approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

September 8, 2020

Attachments

- a. 2020-109 ORD granting SUP at 4410 Texas Blvd (DOCX)
- b. 2020-109 ATTH 01 (maps) (PDF)
- c. 2020-109 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/18/2020 4:14 PM	
City Manager	Shirley Jaster	City Manager Review Completed
11:32 AM		09/23/2020
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		09/28/2020

Meeting History

09/28/20 City Council MOVED FORWARD Next: 10/12/20
David Orr briefed this agenda item.

S-729

ORDINANCE NO. 2020-109

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-729 TO ALLOW THE ONE ADDITIONAL USE OF APPLICATION OF PERMANENT COSMETICS/MICROBLADING ON LOTS 1, 2 AND NORTH 1/2 OF LOT 3, BLOCK 16, BELL HEIGHTS ADDITION, LOCATED IN A TENANT SPACE AT 4410 TEXAS BOULEVARD, 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 application of permanent cosmetics/ microblading** on Lots 1, 2 and north 1/2 of Lot 3, Block 16, Bell Heights Addition, located in a tenant space at **4410 Texas Boulevard**, 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 have afforded and held full and fair hearings 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 five (5) 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 application of permanent cosmetics/microblading** 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 so as to grant **Specific Use Permit numbered S-729 for the purpose of allowing the one additional use of application of permanent cosmetics/microblading** on the following described property, to-wit: **Lots 1, 2 and north 1/2 of Lot 3, Block 16, Bell Heights Addition, located in a tenant space at 4410 Texas Boulevard**, in the City of Texarkana, Bowie County, Texas.

Attachment: 2020-109 ORD granting SUP at 4410 Texas Blvd (2373 : 2020-109 ORD SUP located at 4410 Texas Boulevard)

SECTION 2: That the following stipulations are hereby imposed and made a part of this ordinance:

1. That the owner and/or any employee performing the application of permanent cosmetics 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 the Specific Use Permit be intended for the application of permanent cosmetics and microblading only.
3. That if this use ever ceases to exist at this location, the City may automatically revoke the Specific Use Permit.

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 **12th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

4410 Texas Blvd.



Attachment: 2020-109 ATTH 01 (maps) (2373 : 2020-109 ORD SUP located at 4410 Texas Boulevard)



4410 Texas Blvd.



Attachment: 2020-109 ATTH 01 (maps) (2373 : 2020-109 ORD SUP located at 4410 Texas Boulevard)



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: