



MINUTES

Of A

REGULAR COUNCIL MEETING

June 8, 2023

The City Council of the City of Longview, Texas, met in a Regular Session, June 8, 2023, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Members absent were:

Andy Mack
Tem Carpenter
Nona Snoddy
Wray Wade
John Nustad
Michelle Gamboa
Steven Pirtle

Staff members present were:

Rolin McPhee, City Manager
Angie Shepard, City Secretary
Robert Ray, City Attorney
Michael Shirley, Director of Development Services
Dwayne Archer, Director of Public Works
Angela Coen, Director of Financial Services
Mary Ann Hagenbucher, Assistant City Manager
J.P. Steelman, Fire Chief
Anthony Boone, Police Chief
Josh Gamble, Director of Information Technology
Bonnie Hubbard, Director of Administration
Shawn Hara, Director of Community Relations

I. **Call to Order** –Mayor Mack called the meeting to order at 5:30 p.m.

II. Invocation Prayer was led by East Texas Literacy Council Executive Director Natasha Duncan. The organization's mission is to provide opportunities for adults in Gregg County to develop the basic literacy skills necessary to attain self-sufficiency and to function successfully in their community. Improve literacy skills lead to better jobs and better lives for parents and their children.

III. Pledge of Allegiance Pledge was led by Natasha Duncan.

IV. Presentation - Presentation concerning general government compensation study - Matt Weatherly, Public Sector Personnel Consultants.

- Project Scope and Purpose
 - Salary Survey
 - Salary Plan Recommendation
- Goals
 - Competitive Recruitment
 - Fair and Competitive Compensation
 - Recognize and Reward Excellence
- Goals and Initiative for Recruitment and Retention
 - Understanding Market
 - Getting Employees to 95% of market
- Market Comparators
 - Cities that were approved by Council in 2019
- Survey Findings
 - Civilian: 90% of jobs surveyed were more than 5% behind average.
 - After review of executive compensation data, proposing to eliminate auto allowance for Directors.
- Living Wage and Cost Estimates
 - Proposing floor of \$15 per hour
 - Before the study, 47 full-time employees were below this number
 - Most addressed as result of the study
 - Results in some impact to employees across first few pay ranges
 - All jobs have been place on updated pay ranges using the proposed 95% market philosophy
 - Employees will be moved to competitive position within their range
 - Data collected effective 4/1/23
- Estimated Cost
 - \$1,766,378

V. Citizen Comment

Wolfie Hoover 1517 W Fairmont invited all to attend the Pride East Texas Longview this weekend.

Shannon Moore 1510 Fuller spoke about the lack of community involvement for the Juneteenth Celebration. Said there is still time to get people involved. The Hot Air Balloon Presentation has nothing to do with Juneteenth and the parade should end at Broughton, just like it was done before.

VI. Public Safety Update

- A.** Police – Chief Boone gave the May stats: Average response was 4 minutes and 18 seconds, there were 6,292 calls for service, 3,056 traffic stops, 29 DWI cases and 230 crashes.
Thanks to Julie Woods and her team for our Police/Fire completion on National Donut Day. Again, the Fire came out of top.
Officer Minyard and partner Dalo participated in the National Narcotics Detector Dog Competition and placed 4th.
Thanks to all those that participated in the Spur 63 corrido community meeting this week.
This week we had our Police Explorer Camp and are hopeful that some of those will consider a career in law enforcement.
- B.** Fire – Chief Steelman – Our new Fire Training Tower was recently completed at the new Public Safety Training Facility. All elements of the currently Drill Field at Stamper Park will soon be vacated. This project is slated for completion in spring 2024.
Way to go Station 1, C-shift for their dounut eating skills.
Stop the Bleed Community training will be Monday, June 12 at 6pm.
Please pre-register but remember this is a free class.

VII. Consent Agenda

- A. Consider a Resolution authorizing the City of Longview to accept and expend grant funds in an amount not to exceed \$750.00 from the Walmart Community Grant Program (Store #398) to assist the Longview Police Department's Police Area Representatives in acquiring supplies for community initiatives –**

Chief Anthony Boone, Longview Police Department was present and requested the Council to consider the approval of a Resolution accepting funding assistance for an amount not to exceed \$750.00, from the Walmart Community Grant Program - Store #398 for the Police Area Representatives (PAR) program for the Longview Police Department. Funds received would assist with expenses for supplies associated with Longview Police Department initiatives within the community.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY OF LONGVIEW TO ACCEPT AND EXPEND GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$750.00 FROM THE WALMART COMMUNITY GRANT PROGRAM TO SUPPORT THE LONGVIEW POLICE DEPARTMENT – POLICE AREA REPRESENTATIVES (PAR) OFFICERS AND THEIR COMMUNITY INITIATIVES; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER’S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH PROGRAM RULES OF THE WALMART COMMUNITY GRANT PROGRAM STORE #398; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6162 appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution electing and appointing Council Member Temple Carpenter as Mayor Pro Tem –

Dr. Andy Mack, Mayor was present and requested the Council to consider the approval of a Resolution appointing Council Member Temple Carpenter as Mayor Pro Tem.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ELECTING AND APPOINTING COUNCIL MEMBER TEMPLE CARPENTER AS MAYOR PRO TEM; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6163 appears in the Resolution and Ordinance records of the City of Longview.

C. Consider approval of the May 11 and May 25, 2023, minutes –

Angie Shepard, City Secretary was present and requested the Council to consider the approval of the May 11 and 25, 2023 minutes.

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

SECOND: Council Member Pirtle seconded the motion.

VOTE:

Council Member Carpenter	Yes
Council Member Snoddy	Yes
Council Member Wade	Yes
Council Member Nustad	Yes
Council Member Gamboa	Yes
Council Member Pirtle	Yes
Mayor Mack	Yes

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

VIII. Zoning Items

- A. A PUBLIC HEARING will be held to consider application #S23-04 filed by Frederick Jenkins requesting a Specific Use Permit (SUP) to allow for a One-Family Dwelling in Multi-Family (MF-3) Zoning District for approximately 0.337 acres of Lots 1A, 2A, 3A, 1B, 2B, and 3B, Block 10 Ray Addition (NCB 790) located on the south side of Griffin Street, east of Edna Lane –**

Angela Choy, AICP, City Planner was present and presented the staff report:

APPLICATION #S23-04

STAFF REPORT

June 8, 2023

APPLICANT: Frederick Jenkins

LOCATION: Approximately 0.337 acres of Lots 1A, 2A, 3A, 1B, 2B, and 3B, Block 10 Ray Addition (NCB 790) located on the south side Griffin Street, east of Edna Lane.

REQUEST: Specific Use Permit (SUP) to allow for a One-Family Dwelling in Multi-Family (MF-3) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	MF-3	Vacant
NORTH	MF-3	Vacant
SOUTH	MF-3	Vacant
WEST	MF-3	Vacant
EAST	MF-3	Vacant

COUNCIL DISTRICT:

District 2 – Council Member Nona Snoddy.

FUTURE LAND USE:

The Future Land Use map designates this area for Industrial (IND).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for a One-Family Dwelling in Multi-Family (MF-3) Zoning District.

A Specific Use Permit is required to allow for a One-Family Dwelling in Multi-Family (MF-3) Zoning District to ensure no negative impact on surrounding properties. There are several One-Family Dwellings and Two-Family Dwellings scattered throughout the neighborhood. The applicant would like to bring the property into compliance with the current zoning requirements before developing the property.

Griffin Street is classified as a local street and is maintained by the City of Longview. This type of development is appropriate along this roadway as long as access management is followed.

Staff finds the proposed zoning change is consistent with surrounding uses; therefore, it does not constitute spot zoning.

STAFF RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval of this request.

The public hearing was declared open.

Frederick Jenkins was available for questions.

The public hearing was declared closed.

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

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR A ONE-FAMILY DWELLING IN MULTI-FAMILY (MF-3) ZONING DISTRICT FOR APPROXIMATELY 0.337 ACRES OF LOTS 1A, 2A, 3A, 1B, 2B, AND 3B, BLOCK 10 RAY ADDITION (NCB 790) LOCATED ON THE SOUTH SIDE OF GRIFFIN STREET, EAST OF EDNA LANE; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Gamboa seconded the motion.

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

Such Ordinance is No. 4441 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider application #PD23-03 filed by Heartisans Marketplace requesting to rezone approximately 2.23 acres of Lot 1A and 1B Block 1 Thomas Manor Unit 5 from Heavy Commercial (C) to Planned Development for a retail, office, and duplex/cottage development located on the northwest corner of Gilmer Road and Nikki Drive –**

Angela Choy, AICP, City Planner was present and presented the staff report:

APPLICATION #PD23-03

STAFF REPORT

June 8, 2023

APPLICANT: Heartisans Marketplace
LOCATION: Approximately 2.23 acres of Lot 1A and 1B Block 1 Thomas Manor Unit 5 located on the northwest corner of Gilmer Road and Nikki Drive.
REQUEST: To rezone from from Heavy Commercial (C) to Planned Development for a retail, office, and duplex/cottage development.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	C	Retail
NORTH	C	Vacant
SOUTH	TF-2 & GR	Duplexes & Oilfield Equipment
EAST	PD20-04	Tunnel Car Wash
WEST	TF-2	Duplexes

COUNCIL DISTRICT:
District 5 – Council Member Michelle Gamboa.

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

STAFF COMMENTS:
The applicant is requesting to rezone from Heavy Commercial (C) to Planned Development for a retail, office, and duplex/cottage development located on the northwest corner of Gilmer Road and Nikki Drive. The applicant is proposing 5 duplexes and one cottage within this development that will have private drive access from Nikki Drive. This development is to allow for the women in the Heartisans program to live on site.

The project will have a 25 foot setback from the property line adjacent to Nikki Drive and a minimum 10 foot rear setback. All structures will comply with building code requirements. Through the development process, the site will meet the requirements set forth in the Unified Development Code (UDC) and all other City of Longview codes.

Gilmer Road is classified as a principal arterial roadway and is maintained by TxDOT. Nikki Drive is classified as a local street and is maintained by the City of Longview. Access management is essential to avoid traffic congestion and delays caused by

turning movements for vehicles entering and exiting driveways. The proposed development will limit the access onto Gilmer Road by installing a driveway onto Nikki Drive.

Staff finds that this proposed zoning change is consistent with the Comprehensive Plan and surrounding uses; therefore, it does not constitute spot zoning.

STAFF RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval of this request

The public hearing was declared open.

Amy Hollins and Julee Rachels were available for questions.

The public hearing was declared closed.

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

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: APPROXIMATELY 2.23 ACRES OF LOT 1A AND 1B BLOCK 1 THOMAS MANOR UNIT 5 FROM HEAVY COMMERCIAL (C) TO PLANNED DEVELOPMENT FOR A RETAIL, OFFICE, AND DUPLEX/COTTAGE DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF GILMER ROAD AND NIKKI DRIVE, AS SET FORTH IN EXHIBIT A, BEING HERETO ATTACHED AND MADE A PART OF HEREOF FOR ALL PURPOSES; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING

WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Carpenter seconded the motion.

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

Such Ordinance is No. 4442 and appears in the Resolution and Ordinance records of the City of Longview.

- C. A PUBLIC HEARING will be held to consider application #Z23-11 filed by Sensato, LLC requesting a rezone from Single-Family (SF-4) to General Retail (GR) Zoning District for approximately 9.602 acres of a portion of Abstract 262 A Jordan Survey Tracts 18, 19 & 19-01 Section 5 located on the east side of South Eastman Road, north of East Cotton Street –**

Angela Choy, AICP, City Planner was present and presented the staff report:

APPLICATION #Z23-11

STAFF REPORT

June 8, 2023

APPLICANT: Sensato, LLC
LOCATION: Approximately 9.602 acres of a portion of Abstract 262 A Jordan Survey Tracts 18, 19 & 19-01 Section 5 located on the east side of South Eastman Road, north of East Cotton Street.
REQUEST: Rezone from Single-Family (SF-4) to General Retail (GR) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	SF-4	Single Family Residential & Vacant
NORTH	SF-4	Vacant
SOUTH	GR & SF-4	Convenience store with fuel
WEST	C-2	Construction & Equipment Rental/Sales, Hydraulic Repair

Cliff Hale 223 Longleaf spoke in opposition of the zoning change.

The public hearing was declared closed.

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

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: THAT APPROXIMATELY 9.602 ACRES OF A PORTION OF ABSTRACT 262 A JORDAN SURVEY TRACTS 18, 19 & 19-01 SECTION 5 LOCATED ON THE EAST SIDE OF SOUTH EASTMAN ROAD, NORTH OF EAST COTTON STREET BE REZONED FROM SINGLE-FAMILY (SF-4) TO GENERAL RETAIL (GR) ZONING DISTRICT; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Snoddy seconded the motion.

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

Such Ordinance is No. 4443 and appears in the Resolution and Ordinance records of the City of Longview.

- D. A PUBLIC HEARING will be held to consider application #Z23-12 filed by Sensato, LLC requesting a rezone from Single-Family (SF-4) to Two-Family (TF) Zoning District for approximately 40.886 acres of Abstract 262 A Jordan Survey Tracts 16, 17 and a portion of 18, 19 & 19-01 Section 5 located on the east side of South Eastman Road, north of East Cotton Street – This item requires a supermajority vote.**

Angela Choy, AICP, City Planner was present and presented the staff report:

APPLICATION #Z23-12

STAFF REPORT

June 8, 2023

APPLICANT: Sensato, LLC
LOCATION: Approximately 40.886 acres of Abstract 262 A Jordan Survey Tracts 16, 17 and a portion of 18, 19 & 19-01 Section 5 located on the east side of South Eastman Road, north of East Cotton Street.
REQUEST: Rezone from Single-Family (SF-4) to Two-Family (TF) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	SF-4	Vacant
NORTH	C-2 & SF-4	Office
SOUTH	SF-4	Single Family Residential
WEST	C-2 & SF-4	Single Family Residential, Convenience store with fuel,
EAST	SF-4 & PD25	Vacant and Pipe/Hose Supplier Country Club & Duplexes

COUNCIL DISTRICT:
District 3 – Council Member Wray Wade

FUTURE LAND USE:
The Comprehensive Plan designates this area for Retail (RET), Low Density Residential (LDR) and Medium Density Residential (MDR).

STAFF COMMENTS:
The applicant is requesting to rezone approximately 40.886 acres of Abstract 262 A Jordan Survey Tracts 16, 17 and a portion of 18, 19 & 19-01 Section 5 located on the east side of South Eastman Road, north of East Cotton Street from Single-Family (SF-4) to Two-Family (TF) Zoning District.

The applicant would like to rezone the property for a duplex development. The applicant is showing a 20 foot buffer zone and a 6 foot solid wood fence between this development and the adjacent golf course.

The Comprehensive Plan states that a livable community is one that is safe and secure, has affordable and appropriate diverse housing and transportation options, and supportive community features and services. One of the goals of the Comprehensive Plan is to foster strong and diverse economy that provides a full range of employment and economic choices. In order to accomplish this, we need to promote a range of living opportunities for Longview residents in order to attract and retain a stable and diversified population.

Eastman Road is a TXDOT roadway and is classified as a principal arterial. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. This type of development is appropriate along this roadway as long as access management is followed.

Staff finds the proposed zoning change is consistent with the adjacent uses; therefore, it does not constitute spot zoning.

Staff received a letter from Pinecrest Country Club Board of Directors supporting the request as long as stipulations are in place which would include a 20 buffer zone that runs the length of the Pinecrest property and a 6 foot solid wood fence that Pinecrest would be allowed to paint, stain, screen or upgrade at the expense of the country club.

A petition in opposition to the request was submitted during the Planning and Zoning Commission meeting however, no one within the required 200 feet signed the petition.

STAFF RECOMMENDATION:

Recommendation by the Planning and Zoning Commission to approve failed for a lack of a majority vote. The vote was 4-4. Natasha Harrell made the motion to approve with stipulations listed in the staff report. Marlena Cooper seconded the motion with Pat Noon and Jason Jones voting in favor. David Holloway, Brian Daugbjerg, Chad Harkey and Keith Lloyd voted against. Heath Hamberlin was absent. Staff recommends approval.

UDC Article A Section 2.02 states that unless a proposed amendment, supplement or change has been approved by the City Planning and Zoning Commission, such amendment shall not become effective except by a three-fourths (3/4) vote of the governing body.

The public hearing was declared open.

Brenda Veauthier 107 Country Club Drive spoke in opposition of the rezoning. She is a resident in the area and does not want the addition traffic that this will bring. Rental property will bring the value of the area down.

Cliff Hale 223 Longleaf – Mr. Hale gave a petition that was signed for residents in the area. Said there would be too much traffic in the area.

The public hearing was declared closed.

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

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: THAT APPROXIMATELY 40.886 ACRES OF ABSTRACT 262 A JORDAN SURVEY TRACTS 16, 17 AND A PORTION OF 18, 19 & 19-01 SECTION 5 LOCATED ON THE EAST SIDE OF SOUTH EASTMAN ROAD, NORTH OF EAST COTTON STREET BE REZONED FROM SINGLE-FAMILY (SF-4) TO TWO-FAMILY (TF) ZONING DISTRICT WITH THE FOLLOWING STIPULATIONS: 1.) A 20-FOOT UNDISTURBED BUFFER ZONE THAT RUNS THE LENGTH OF THE PINECREST PROPERTY AND 2.) A 6-FOOT TALL SOLID WOODEN FENCE BE ERECTED THAT PINECREST WOULD BE ALLOWED TO PAINT, STAIN, SCREEN OR UPGRADE AT THE EXPENSE OF THE COUNTRY CLUB; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN

CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Carpenter seconded the motion.

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

Such Ordinance is No. 4444 and appears in the Resolution and Ordinance records of the City of Longview.

- E. A PUBLIC HEARING will be held to consider application #Z23-15 filed by Forecast Ventures, LLC and Billy Sallee requesting a rezone from Multi-Family (MF-2) to Single Family (SF-2) Zoning District for approximately 0.173 acres of Abstract 258 P P Rains Survey Tract 9 Section 7 located north of Fairway Oaks Lane, south of Masters Way**

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Angela Choy, AICP, City Planner was present and presented the staff report:

APPLICATION #Z23-15

STAFF REPORT

June 8, 2023

APPLICANT: Forecast Ventures, LLC and Billy Sallee
LOCATION: Approximately 0.173 acres of Abstract 258 P P Rains Survey Tract 9 Section 7 located north of Fairway Oaks Lane, south of Masters Way.
REQUEST: Rezone from Multi-Family (MF-2) to Single Family (SF-2) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	MF-2	Golf Course
NORTH	MF-2	Golf Course
SOUTH	SF-2	Single Family Residential
WEST	SF-2	Single Family Residential
EAST	MF-2	Golf Course

COUNCIL DISTRICT:

District 5 – Council Member Michelle Gamboa

FUTURE LAND USE:

The Comprehensive Plan designates this area for Parks and Open Space (POS).

STAFF COMMENTS:

The applicant is requesting to rezone property located north of Fairway Oaks Lane, south of Masters Way from Multi-Family (MF-2) to Single Family (SF-2) Zoning District.

The applicant owns the lot at 2804 Fairway Oaks Lane. The applicant purchased a portion of the property behind them and is in the process of platting to incorporate the piece he purchased into his existing lot on Fairway Oaks and create two lots.

Fairway Oaks Lane is classified as a local street and is maintained by the City of Longview. This type of development is appropriate along this roadway as long as access management is followed.

Staff finds the proposed zoning change is consistent with adjacent uses; therefore, it does not constitute spot zoning.

STAFF RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval of this request.

The public hearing was declared open.

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

The public hearing was declared closed.

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

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: THAT APPROXIMATELY 0.173 ACRES OF ABSTRACT 258 P P

RAINS SURVEY TRACT 9 SECTION 7 LOCATED NORTH OF FAIRWAY OAKS LANE, SOUTH OF MASTERS WAY BE REZONED FROM MULTI-FAMILY (MF-2) TO SINGLE FAMILY (SF-2) ZONING DISTRICT; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Carpenter seconded the motion.

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

Such Ordinance is No. 4445 and appears in the Resolution and Ordinance records of the City of Longview.

IX. Items of Community Interest

X. Adjourn

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

[seal]

Angie Shepard
City Secretary

