



MINUTES

Of A

REGULAR COUNCIL MEETING

April 14, 2022

The City Council of the City of Longview, Texas, met in a Regular Session, April 14, 2022, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Andy Mack
Tem Carpenter
Nona Snoddy
Wray Wade
Kristen Ishihara
David Wright

Members absent were:

Steven Pirtle

Staff members present were:

Rolin McPhee, City Manager
Angie Shepard, City Secretary
Jim Finley, City Attorney
Michael Shirley, Director of Development Services
Dwayne Archer, Director of Public Works
Laura Hill, Director of Grant Services
Scott Caron, Director of Parks and Recreation
Angela Coen, Director of Financial Services
Mary Ann Miller, Assistant City Manager
J.P. Steelman, Fire Chief
Anthony Boone, Acting Police Chief
Josh Gamble, Director of Information Technology
Bonnie Hubbard, Director of Administration

- I. **Call to Order** – Mayor Andy Mack called the meeting to order.
- II. **Invocation** – Prayer was by led by members of the Spring Hill High School Honor Society.

Senior - Kaylee Montgomery (NHS Secretary)
Senior - Kylee Hudson - (NHS Treasurer)
Senior - Alexis Grubb - (NHS Historian)
Junior - Shane Browder
Junior - Abby Caron – *Parks Director Scott Caron's Daughter*

- III. **Pledge of Allegiance** – Spring Hill Honor Society students also led the Pledge.

IV. **Presentation**

- A. **Presentation of a Proclamation commemorating April 27th as Sexual Assault Awareness and Prevention Day to Women's Center of East Texas – Mayor Andy Mack.** – Presented to Hollie Bruce with the Women's Center of East Texas.
- B. **Presentation of a Proclamation recognizing AAON Coil Products, Inc. for awards received for having women make up more than 29% of their workforce– Mayor Andy Mack.** – Proclamation was presented to Staphanie Regan and Doug Wichman with AAON, Inc.
- C. **Presentation from Longview ISD Community Relations Department to Mayor Andy Mack for award received from Texas School Public Relations Association.** – Elizabethe Ross with Longview ISD presented Mayor Andy Mack with an award for his column in the school newspaper.
- D. **Presentation to Mayor Andy Mack for the “Community Builders Award” from the Pine Tree Masonic Lodge.** Chris Thomas presented Mayor Mack with the Community Builders Award

V. **Employee Recognition - Longview Transit**

Longview Transit, Longview's public bus and paratransit system, was recently honored by the Texas Transit Association with the **Outstanding Small Urban Transit System Award** of 2022.

In October 2019, Longview Transit completed a \$1.7-million Transfer Center at Longview's Multimodal Transportation Center to coordinate travel with both Amtrak and Greyhound.

A few months later, COVID-19 struck, and Longview Transit took advantage of the slower pace of reduced ridership and the idle labor force.

During this time, Longview Transit replaced an aging fleet of both buses and support vehicles, installed a 10,000 gallon on-site fueling station, a bus wash pavilion, a camera and bus-tracking system, and an awning to protect the paratransit fleet.

Last summer Longview Transit received a rare zero deficiency finding by the Federal Transit Administration during their Triennial Review. Their system also operated without any accidents throughout 2021.

VI. Citizen Comment - There were no citizens in the audience asking to comment.

VII. Consent Agenda

A. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Diamond H Services, Inc. of Longview, Texas for structured optical fiber services for the Information Services Department –

Joshua Gamble, Director of Information Services was present and requested the Council to consider the approval of a Resolution adopting the structured optical fiber services. This item is for an annual requirements style agreement for structured optical fiber services for use at City of Longview facilities. The awarded vendor will be providing routine installations, repairs, maintenance, and special projects (as designated) for the City of Longview Information Services Department.

This bid was advertised in the local newspaper as required by law. On March 17, 2022 one bid was on file.

Diamond H Services, Inc. of Longview, TX submitted a bid for \$47,682.00.

Diamond H Services, Inc. submitted the lowest and best bid meeting the published specifications.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LONGVIEW, TEXAS, ACCEPTING THE BID OF**

DIAMOND H SERVICES, INC. OF LONGVIEW, TEXAS, FOR STRUCTURED OPTICAL FIBER SERVICES; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND DIAMOND H SERVICES, INC. OF LONGVIEW, TEXAS, FOR SAID SERVICES; AUTHORIZING THE RENEWAL OF SAID CONTRACT AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS, PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID CONTRACT FOR ANY ONE TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID CONTRACT IN THE CONCURRENT BUDGET YEAR(S); DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE PURCHASING REQUIREMENTS IN SOLICITING, RECEIVING AND ACCEPTING SAID BID; 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. 5932 appears in the Resolution and Ordinance records of the City of Longview.

- B. Consider a Resolution establishing city fees and charges for the Convention and Visitors Bureau related to operation of a visitor center and for the Parks and Recreation Department related to rental of the Longview Safety City facility for the Fiscal Year 2021-2022 –**

Shawn Hara, Director of Community Destinations and Scott Caron, Director of Parks and Recreation was present and requested the Council to consider the approval of a Resolution to authorize City fees and charges to be updated or revised in order to more accurately compensate the City for its costs in providing facilities, services, and materials, and to reflect the city's cost of administering the municipal regulations associated with City permits and applications.

The resolution authorizes a fee structure for the Convention and Visitors Bureau, also known as Visit Longview Texas, to reflect operations since moving to a storefront location in downtown this fiscal year. The resolution includes specific fees related to meeting space rental and registration cancellation. Similar to other existing fees within

the Parks Department, the resolution allows fees for activity registration, merchandise sales, and ticket sales to be determined on a case-by-case basis according to cost and scope within an authorized range.

The resolution also authorizes the Parks and Recreation Department to charge a fee for rental of Safety City, which was recently added as an administrative responsibility of the department. The rental fee would allow the facility to be rented for private events and parties.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, SETTING CERTAIN FEES RELATED TO CONVENTION AND VISITORS BUREAU AND PARKS AND RECREATION; FINDING 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. 5933 appears in the Resolution and Ordinance records of the City of Longview.

C. Consider an Ordinance clarifying, updating, and amending certain sections of Chapter 4 Article VII of the Longview City Code concerning Boards and Commissions –

MaryAnn Hagenbucher, Assistant City Manager was present and requested the Council to consider the approval of a Resolution authorizing the updates to board and commissions. It is necessary to periodically review the Boards and Commissions portion of the Code of Ordinances (Chapter 4). City staff recently reviewed the portions of Chapter 4 related to the Boards and Commissions and found that a few corrections needed to be made in order to realign the Code Book with the City's current Board and Commission structure.

All of the modifications to Chapter 4 within this ordinance are related to two main changes:

- 1) Last year, the Council amended the Comprehensive Plan Advisory Committee to have 6 members instead of the original 12 members. The Code Book remained unchanged, so this ordinance reflects that change.

2) The Certified Retirement City Committee was disbanded several years ago but was never removed from the Code Book as a City committee.

The following Ordinance was approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, CLARIFYING, UPDATING AND AMENDING CERTAIN SECTIONS OF CHAPTER 4 ARTICLE VII OF THE LONGVIEW CITY CODE; AMENDING CHAPTER 4, ARTICLE VII OF THE LONGVIEW CITY CODE DISCONTINUING THE CERTIFIED RETIREMENT CITY COMMITTEE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Ordinance No. 4357 appears in the Resolution and Ordinance records of the City of Longview.

D. Consider a Resolution accepting the Broughton Roof Restoration Project and authorizing final payment of \$8,067.80 to Longview Roofing, LLC., of Longview, Texas. –

Dwayne Archer, Director of Public Works. was present and requested the Council to consider the approval of a Resolution adopting the accepting the Broughton Recreation Center Roof Re-cover project and authorizing final payment in the amount of \$8,067.80 to Longview Roofing, LLC., of Longview, TX. Approval of final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Longview Roofing, LLC, on September 16, 2021 in the amount of \$86,478.00. The final construction cost is \$80,678.00.

The scope of work included installation of 16,000 square foot roof, including fully adhered Thermoplastic Polyolefin (TPO) roof system, 700 feet of metal coping and miscellaneous work as necessary to complete the installation.

The project has been completed in accordance with the contract. Public Works facilities staff recommends acceptance of the project and approval of the final payment.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "BROUGHTON RECREATION CENTER ROOF RE-COVER"; AUTHORIZING AND APPROVING FINAL PAYMENT TO LONGVIEW ROOFING, LLC., OF LONGVIEW, TEXAS FOR THE COMPLETION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5934 appears in the Resolution and Ordinance records of the City of Longview.

- E. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute a professional architectural agreement in the amount of \$82,000.00 with Brinkley Sargent Wiginton Architects (BSW), of Dallas, Texas, to prepare a design for renovation of the existing police building -**

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution authorizing the City to enter into a professional services agreement with BSW Architects, Inc. of Dallas TX. for the Existing Police Building Renovation design services and authorizing payment in the amount of \$82,000.00 to BSW Architects, Inc. of Dallas, TX.

The renovation work was approved in the 2018 Bond election.

The scope of work includes conceptual development and preparation of final plan drawings and contract documents for renovation of the existing police building. Supplemental services include contractor coordination while the project is under construction.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BRINKLEY SARGENT WIGINTON ARCHITECTS (BSW), FOR ARCHITECTURAL SERVICES FOR THE PROJECT ENTITLED "EXISTING POLICE BUILDING RENOVATION"; 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. 5935 appears in the Resolution and Ordinance records of the City of Longview.

- F. Consider a Resolution authorizing the City Manager or his designee to accept the Cargill Trail Improvements Project and authorize final payment in the amount of \$116,836.81 to Reynolds & Kay, LTD –**

Scott Caron, Director of Parks and Recreation was present and requested the Council to consider the approval of a Resolution accepting the "Cargill Long Trail Improvements" and authorizing final payment of \$116,836.81 to Reynolds & Kay, Ltd., of Tyler, Texas. Approval of the final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Reynolds & Kay, Ltd., on June 24, 2021, in the amount of \$1,180,739.50. The final construction cost is \$1,090,018.50.

The project included the reconstruction of the trail surface, drainage improvements and miscellaneous work necessary to complete the construction.

The project has been completed in accordance with the contract. Johnson & Pace Incorporated recommends acceptance of the project and approval of the final payment. Public Works Engineering Staff concurs with their recommendation.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED “CARGILL LONG TRAIL IMPROVEMENTS”; AUTHORIZING AND APPROVING FINAL PAYMENT TO REYNOLDS & KAY, LTD., OF TYLER, TEXAS, FOR THE COMPLETION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5936 appears in the Resolution and Ordinance records of the City of Longview.

G. Consider approval of the following minutes: February 24, March 10, and March 24, 2022 –

Angie Shepard, City Secretary and requested the Council to approve the February 24, March 10 and March 24, 2022 minutes.

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

SECOND: Council Member Wright seconded the motion.

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

VIII. Zoning Items

A. A PUBLIC HEARING will be held to consider application #S22-02 filed by Henry Page requesting a Specific Use Permit (SUP) to allow for a One-Family Dwelling with a garage addition in a General Retail (GR) Zoning District for Lots 1 and 2 Block 1 Hills & Trails North Subdivision located at 2111 East George Richey Road –

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

APPLICATION #S22-02

STAFF REPORT

April 14, 2022

APPLICANT: Henry Page
LOCATION: Lot 1 and 2 Block 1 Hills & Trails North located at 2111 East George Richey Road.
REQUEST: Specific Use Permit for a One-Family Dwelling with a garage addition in a General Retail (GR) Zoning District.

COUNCIL DISTRICT:

District 5 – Council Member David Wright

FUTURE LAND USE:

The Future Land Use map designates this area for Low Density Residential (LDR).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for an existing One-Family Dwellings in a General Retail (GR) Zoning District.

A Specific Use Permit is required for One-Family Dwellings in General Retail (GR) zoning districts to ensure no negative impact on surrounding properties. There are several One-Family Dwelling units located to the north, west, and south of this property. The applicant would like to bring the property into compliance with the current zoning requirements and build an addition to his existing house.

Currently, this section of George Richey Road is being widened to five lanes. With the widening project, TxDOT has acquired approximately 28 feet therefore making the house approximately 3.8 feet away from the property line. This acquisition renders their garage useless so the property owner would like to build a new side entry garage with a 25 foot setback from the new property line.

George Richey Road is maintained by TxDOT and is a principal arterial roadway. Principal arterial roadways serve major centers of metropolitan areas and provide a high degree of mobility. They are designed to 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 future land use map and surrounding uses therefore; it does not constitute spot zoning.

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 A GENERAL RETAIL (GR) ZONING DISTRICT FOR LOTS 1 AND 2 BLOCK 1 HILLS & TRAILS NORTH SUBDIVISION LOCATED AT 2111 EAST GEORGE RICHEY ROAD; 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 Wright seconded the motion.

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

Such Ordinance is No. 4358 and appears in the Resolution and Ordinance records of the City of Longview.

- B. **A PUBLIC HEARING will be held to consider application #Z22-06 filed by Nishil Patel requesting a rezone from Single-Family (SF-2) to Townhome (TH) Zoning District for approximately 2.328 acres of AB 258 P P Rains Survey Tract 15-02 Section 6 located on the west side of Horseshoe Lane, north of Magnolia Lane –**

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

APPLICATION #Z22-06

STAFF REPORT
April 14, 2022

APPLICANT: Nishil Patel
LOCATION: Approximately 2.328 acres of AB 528 P P Rains Tract 15-02 Section 6 located on the west side of Horseshoe Lane, north of Magnolia Lane.
REQUEST: Rezone from Single-Family (SF-2) to Townhome (TH) Zoning District.

COUNCIL DISTRICT:

District 6 – Council Member Steve Pirtle

FUTURE LAND USE:

The Comprehensive Plan designates this area for Medium Density Residential (MDR).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 2.328 acres of AB 258 P P Rains Survey Tract 15-02 Section 6 from Single-Family (SF-2) to Townhome (TH) Zoning District located on the west side of Horseshoe Lane, north of Magnolia Lane.

Horseshoe Lane is classified as a Local road and is maintained by the City of Longview. Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, this request does not constitute spot zoning.

RECOMMENDATION:

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

MOTION: Council Member Ishihara 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 2.328 ACRES OF AB 258 P P RAINS

SURVEY TRACT 15-02 SECTION 6, LOCATED ON THE WEST SIDE OF HORSESHOE LANE, NORTH OF MAGNOLIA LANE BE REZONED FROM SINGLE FAMILY (SF-2) TO TOWNHOME (TH) 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 Wright seconded the motion.

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

Such Ordinance is No. 4359 and appears in the Resolution and Ordinance records of the City of Longview.

- C. **A PUBLIC HEARING will be held to consider application #Z22-07 filed by Selwob Investments, LLC requesting a rezone from Planned Development Multi-Family (PD27), Planned Development (PD16) and Single Family (SF-4) to General Retail (GR) Zoning District for approximately 5.756 acres of AB 252 A Jordan Survey Tracts 4, 5 and 23-01 Section 1 located at 2453 and 2455 North Eastman Road –**

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

APPLICATION #Z22-07

STAFF REPORT

April 14, 2022

APPLICANT: Denny Bowles (Selwob Investments, LLC)

LOCATION: Approximately 5.756 acres of AB 262 A Jordan Survey Tracts 4, 5 and 23-01 Section 1 located at 2453 and 2455 North Eastman Road.

REQUEST: Rezone from Planned Development Multi-Family (PD27), Planned Development (PD16), and Single Family (SF-4) to General Retail (GR) Zoning District.

COUNCIL DISTRICT:

District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:

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

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 5.756 acres of AB 262 A Jordan Survey Tracts 4, 5 and 23-01 Section 1 from Planned Development Multi-Family (PD27), Planned Development (PD16) and Single Family (SF-4) to General Retail (GR) located at 2453 and 2455 North Eastman Road.

Eastman Road is classified as a principal arterial roadway. 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. Retail use is appropriate for this area, as long as access management is followed.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, the request does not constitute spot zoning.

RECOMMENDATION:

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

MOTION: Council Member Ishihara 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 5.756 ACRES OF AB 262 A JORDAN SURVEY TRACTS 4, 5 AND 23-01 SECTION 1 LOCATED AT 2453 AND 2455 NORTH EASTMAN ROAD BE REZONED FROM PLANNED DEVELOPMENT MULTI-FAMILY (PD27), PLANNED DEVELOPMENT (PD16) AND 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 Wright seconded the motion.

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

Such Ordinance is No. 4360 and appears in the Resolution and Ordinance records of the City of Longview.

- D. **A PUBLIC HEARING will be held to consider application #Z22-08 filed by Selwob Investments, LLC requesting a rezone from Planned Development Multi-Family (PD27) to Multi Family (MF) Zoning District for approximately 7.467 acres of AB 262 A Jordan Survey Tract 3 Section 1 located at 2457 North Eastman Road –**

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

APPLICATION #Z22-08

STAFF REPORT

April 14, 2022

APPLICANT: Denny Bowles
LOCATION: Approximately 7.467 acres of AB 262 A Jordan Survey Tract 3 Section 1 located at 2457 North Eastman Road.
REQUEST: Rezone from Planned Development Multi-Family (PD27) to Multi Family (MF) Zoning District.

COUNCIL DISTRICT:

District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:

The Comprehensive Plan designates this area for Medium Density Residential (MDR), Office (OFF) and Retail (RET).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 7.467 acres of AB 262 A Jordan Survey Tract 3 Section 1 from Planned Development Multi-Family (PD27) to Multi Family (MF) located at 2457 North Eastman Road.

Eastman Road is classified as a principal arterial roadway. 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 use is appropriate for this area, as long as access management is followed.

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

RECOMMENDATION:

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

MOTION: Council Member Carpenter 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 7.467 ACRES OF AB 262 A JORDAN SURVEY TRACT 3 SECTION 1 LOCATED AT 2457 NORTH EASTMAN ROAD ARE HEREBY REZONED FROM PLANNED DEVELOPMENT MULTI-FAMILY (PD27) TO MULTI FAMILY (MF); 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 Ishihara seconded the motion.

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

Such Ordinance is No. 4361 and appears in the Resolution and Ordinance records of the City of Longview.

- E. **A PUBLIC HEARING will be held to consider a request filed by AAON Coil Products, Inc. to abandon a portion of a 50 foot street right-of-way known as Ford Lane consisting of a total of approximately 1.371 acres located on the south side of Gum Springs Road –**

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

#ABD22-01

STAFF REPORT
April 14, 2022

APPLICANT: AAON Coil Products, Inc.
LOCATION: South of Gum Springs Road and east of MLK Jr. Boulevard
REQUEST: To abandon a 50 foot street right-of-way known as Ford Lane consisting of a total of approximately 1.371 acres located on the south side of Gum Springs Road.

COUNCIL DISTRICT:
District 3 – Council Member Wray Wade

ZONING DISTRICT:
Light Industrial (I-1)

STAFF COMMENTS:
The applicant is requesting to abandon a 50 foot street right-of-way known as Ford Lane in order to incorporate the street into the AAON campus and limit access points to their site.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, VACATING AND ABANDONING THE CITY'S INTEREST IN A 50-FOOT-WIDE STREET RIGHT-OF-WAY KNOWN AS FORD LANE CONSISTING OF ONE PARCEL OF LAND IN THE CITY OF LONGVIEW, GREGG COUNTY, TEXAS, TOTALING 1.371 ACRES, MORE OR LESS, AS SAID PARCEL IS FURTHER SHOWN IN THE ATTACHED EXHIBIT A AND DESCRIBED IN THE ATTACHED EXHIBIT B; AUTHORIZING DEEDS TO EVIDENCE ABANDONMENT OF SAID RIGHT-OF-WAY AND ANY OTHER DOCUMENTS AS MAY BE NECESSARY FOR SAID ABANDONMENT; CONDITIONING SAID ABANDONMENT AND AUTHORIZATION UPON THE EXECUTION BY THE PROPERTY OWNERS OF APPROPRIATE DOCUMENTS RELEASING THE CITY AS A CONSEQUENCE OF SAID ABANDONMENT AND UPON THE EXECUTION OF PUBLIC UTILITY EASEMENTS FOR EXISTING WATER,

SEWER, AND FRANCHISE UTILITIES LOCATED WITHIN SAID RIGHT-OF-WAY; ESTABLISHING OTHER CONDITIONS FOR SAID ABANDONMENT AND AUTHORIZATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Wright seconded the motion.

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

Such Ordinance is No. 4362 and appears in the Resolution and Ordinance records of the City of Longview.

Mayor Mack asked for Council Member Pirtle's absence to be excused.

MOTION: Council Member Ishihara made a motion to excuse Council Member Pirtle.

SECOND: Council Member Carpenter seconded the motion.

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

IX. Items of Community Interest

X. Adjourn

The meeting was adjourned at 6:00 p.m.

[seal]

Angie Shepard
City Secretary

