



CITY OF DECATUR, TEXAS

AGENDA CITY COUNCIL MEETING Tuesday, July 23, 2018 Workshop 5:30 p.m.

MONTHLY DEPARTMENT REPORTS – Finance, Library and Main Street.

Finance report by Finance Director Mike Erwin including relevant information and follow-up discussion with Council and other staff.

Library report by Library Director Pat Peters including relevant information and follow-up discussion with Council and other staff.

Main Street report by Frieda Lasater, Main Street Director including relevant information and follow-up discussion with Council and other staff regarding the following items:

1. Organization
2. Promotions
3. Design
4. Economic Restructuring

REGULAR MEETING **6:00 p.m.**

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

PLANNING AND ZONING REPORT:

1. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE ON SPECIFIC USE PERMIT APPLICATION **SUP2018-01**—FIFTY FIFTY PROPERTIES, LLC'S REQUEST, ON BEHALF OF SOUTH MARTIN BRANCH, LP, FOR A SPECIFIC USE PERMIT TO ALLOW A DAY CARE IN A THOROUGHFARE BUSINESS (C-2) ZONING DISTRICT IN THE SOUTH MARTIN BRANCH PLANNED DEVELOPMENT (PD), ON APPROXIMATELY 0.98 ACRES OF LAND BEING LEGALLY PROPOSED AS LOT 37, BLOCK F, SOUTH MARTIN BRANCH ADDITION, PHASE 5, OR MORE COMMONLY REFERRED TO AS 420 MARTIN BRANCH RD., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY CAN BE OBTAINED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0. OPPOSITION TO THIS APPLICATION HAS REACHED 26.23%. PER SECTION 4.4.7.D. OF THE ZONING ORDINANCE, A FAVORABLE VOTE OF THREE FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED. ON JULY 9, 2018, THE CITY COUNCIL TABLED ACTION ON THIS ITEM UNTIL THE NEXT REGULAR CITY COUNCIL MEETING, WHEN ALL CITY COUNCIL MEMBERS ARE EXPECTED TO BE IN ATTENDANCE.)**
2. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE ON **SPECIFIC USE PERMIT APPLICATION 2018-03**—AARON COLE'S REQUEST, ON BEHALF OF WEST WALNUT INVESTMENTS, LTD, FOR A SPECIFIC USE PERMIT TO ALLOW MULTIPLE

FAMILY DWELLINGS AS PART OF A MIXED USE DEVELOPMENT IN THE C1-A, DECATUR SQUARE BUSINESS DISTRICT ON APPROXIMATELY 0.26 ACRES OF LAND BEING LEGALLY DESCRIBED AS ALL OF LOTS 4, 5, 6 AND PART OF AN ALLEY, BLOCK 5, C.J. CRABB'S ADDITION, AND MORE COMMONLY REFERRED TO AS 302 W. WALNUT STREET, DECATUR TEXAS. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 4-0, CHAIRMAN LEMOND AND COMMISSIONERS KLOSE AND STANDRIDGE ABSENT.)**

3. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO CLASSIFY A BIRTHING CENTER OR MID-WIFE FACILITY AS A NEW USE; ADOPT REGULATIONS RELATING TO ARTICLE 5, "ZONING DISTRICTS" RELATIVE TO THE SF-2, SINGLE-FAMILY-2 ZONING DISTRICT, C2, THOROUGHFARE BUSINESS DISTRICT, THE C-1, RESTRICTED BUSINESS ZONING DISTRICT, AND THE CO, OFFICE ZONING DISTRICT TO REGULATE BIRTHING CENTERS OR MID-WIFE FACILITIES, RELATING TO ARTICLE 6, "USE CHART," TABLE 7 TO ALLOW BIRTHING CENTERS OR MID-WIFE FACILITIES WITH A SPECIFIC USE PERMIT, PROVIDING AMENDMENTS TO ARTICLE 3, "DEFINITIONS" AND OTHER SECTIONS OF APPENDIX "B", "ZONING" AS RELATED TO AND RESULTING FROM THE FOREGOING AMENDMENTS TO THE SF-2, SINGLE FAMILY-2 ZONING DISTRICT, C2, THOROUGHFARE BUSINESS DISTRICT, THE C-1, RESTRICTED BUSINESS ZONING DISTRICT, AND THE CO, OFFICE ZONING DISTRICT. **(S12018-04/ZC2018-02) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL TO ADD A DEFINITION APPLICABLE TO BIRTHING CENTERS / MID-WIFE FACILITIES AND TO ALLOW BIRTHING CENTERS / MID-WIFE FACILITIES WITH A SPECIFIC USE PERMIT AS RELATED TO THE CO, OFFICE ZONING DISTRICT; THE C-1, RESTRICTED BUSINESS ZONING DISTRICT; AND THE C-2, THOROUGHFARE BUSINESS ZONING DISTRICT; EACH WITH THE REQUIREMENT FOR AN APPROVED SPECIFIC USE PERMIT AND DENIAL OF THE REQUEST TO ALLOW MIDWIFERY PROFESSIONAL SERVICES AS A USE IN THE SF-2, SINGLE FAMILY-2 ZONING DISTRICT AS REQUESTED BY THE APPLICANT 4-0, CHAIRMAN LEMOND AND COMMISSIONERS KLOSE AND STANDRIDGE ABSENT.)**

4. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO CLASSIFY BINGO GAMES FOR CHARITABLE PURPOSES AS A NEW USE; ADOPT REGULATIONS RELATING TO ARTICLE 5, "ZONING DISTRICTS" RELATIVE TO THE SF-1, SINGLE-FAMILY-1 ZONING DISTRICT, THE SF-2, SINGLE-FAMILY-2 ZONING DISTRICT, THE C2, THOROUGHFARE BUSINESS DISTRICT, THE C-1, RESTRICTED BUSINESS ZONING DISTRICT AND THE CD, CONVENTION OVERLAY DISTRICT ZONING DISTRICT TO REGULATE BINGO GAMES FOR CHARITABLE PURPOSES, RELATING TO ARTICLE 6, "USE CHART," TABLE 7 TO ALLOW BINGO GAMES FOR CHARITABLE PURPOSES WITH A SPECIFIC USE PERMIT, PROVIDING AMENDMENTS TO ARTICLE 3, "DEFINITIONS" AND OTHER SECTIONS OF APPENDIX "B", "ZONING" AS RELATED TO AND RESULTING FROM THE FOREGOING AMENDMENTS TO THE SF-1, SINGLE-FAMILY-1 ZONING DISTRICT; THE SF-2, SINGLE-FAMILY-2 ZONING DISTRICT; THE C2, THOROUGHFARE BUSINESS ZONING DISTRICT; AND THE C-1, RESTRICTED BUSINESS ZONING DISTRICT. **(S12018-05) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL TO ADD DEFINITIONS APPLICABLE TO BINGO OPERATIONS AND TO ALLOW CHARITABLE BINGO FACILITIES APPROVED WITH A SPECIFIC USE PERMIT AS RELATED TO THE SF-1, SINGLE-FAMILY-1 ZONING DISTRICT AND SF-2, SINGLE-FAMILY-2 ZONING DISTRICT FOR RELIGIOUS SOCIETY ONLY AND INCLUDING SPECIAL REGULATIONS; THE CO, OFFICE ZONING DISTRICT; THE C-1A, DECATUR SQUARE BUSINESS ZONING DISTRICT; THE C-1, RESTRICTED BUSINESS ZONING DISTRICT AND THE C-2, THOROUGHFARE BUSINESS ZONING DISTRICT; EACH WITH THE REQUIREMENT FOR AN APPROVED SPECIFIC USE PERMIT, ALSO SUBJECT TO SPECIAL REGULATIONS 5-0, CHAIRMAN LEMOND AND COMMISSIONER KLOSE**

ABSENT. *STAFF IS ALSO RECOMMENDING THAT THE CD, CONVENTION OVERLAY DISTRICT ZONING DISTRICT AND THE PD, PLANNED DEVELOPMENT ZONING DISTRICT BE INCLUDED, WITH THE REQUIREMENT FOR AN APPROVED SPECIFIC USE PERMIT, ALSO SUBJECT TO SPECIAL REGULATIONS.)

5. HEAR STAFF REPORT AND CONSIDER TAKING ACTION ON **REPLAT APPLICATION 2018-07**—MR. AARON COLE'S REQUEST, ON BEHALF OF WEST WALNUT INVESTMENTS, TO FINAL PLAT LOT 4R, BLOCK 5, CRABB'S ADDITION, BEING APPROXIMATELY 0.26 ACRES OF LAND AND A REPLAT OF PART OF LOTS 3,4,5 AND A PORTION OF A 115' ALLEY, BLOCK 5, CRABB'S ADDITION, TO THE CITY OF DECATUR, WISE COUNTY TEXAS AND MORE COMMONLY REFERRED TO AS 302 W. WALNUT ST., DECATUR, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, CHAIRMAN LEMOND AND COMMISSIONER KLOSE ABSENT.)**
6. HEAR STAFF REPORT, CONSIDER AND TAKE ACTION ON **VARIANCE APPLICATION 2018-09**—JOHN PIMENTEL'S REQUEST, ON BEHALF OF THE QUIKTRIP CORPORATION, FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-6(A)(13), 15-6(A)(14) AND 15-6(A)(15) RULES APPLYING TO FREESTANDING SIGNS. SPECIFICALLY, APPLICANT IS REQUESTING A PYLON SIGN THAT: IS A THIRD FREESTANDING SIGN; HAS NO DIRECT STREET FRONTAGE; EXCEEDS THE MAXIMUM ALLOWABLE SIGN AREA AND; EXCEEDS THE MAXIMUM ALLOWABLE SIGN HEIGHT. AT PRESENT, THE REGULATIONS ALLOW FOR A) A MAXIMUM OF TWO FREESTANDING SIGNS; B) STREET FRONTAGE OF 100'; C) A MAXIMUM ALLOWABLE AREA OF 120 SQ. FT.; AND, D) A MAXIMUM HEIGHT OF 25' IN THE C-2, THOROUGHFARE BUSINESS ZONING DISTRICT. APPLICANT IS SEEKING A THIRD FREE STANDING SIGN TO BE LOCATED ALONG THE REAR PROPERTY LINE WITH NO DIRECT STREET FRONTAGE THAT IS 711.8 SQ. FT. AND IS 100' IN HEIGHT. A ZBA SETBACK VARIANCE HAS ALSO BEEN REQUESTED TO ALLOW SIGN TO ENCROACH IN THE REAR YARD SETBACK AND IS CURRENTLY BEING PROCESSED. THE SUBJECT PROPERTY IS GENERALLY LOCATED AT 701 W. HALE STREET, DECATUR, TEXAS.
7. HEAR STAFF REPORT, CONSIDER AND TAKE ACTION ON **VARIANCE APPLICATION 2018-10**—JOHN PIMENTEL'S REQUEST, ON BEHALF OF THE QUIKTRIP CORPORATION, FOR A VARIANCE FROM THE CITY OF DECATUR SIGN ORDINANCE, SECTION 15-7(A)(14) MONUMENT SIGNS. SPECIFICALLY, APPLICANT IS REQUESTING A MONUMENT SIGN THAT: IS NOT LOCATED IN THE MID ONE-THIRD OF STREET FRONTAGE; EXCEEDS THE MAXIMUM ALLOWABLE SIGN AREA AND; EXCEEDS THE MAXIMUM ALLOWABLE SIGN HEIGHT. AT PRESENT, THE REGULATIONS ALLOW A MAXIMUM ALLOWABLE AREA OF 60 SQ. FT. AND A MAXIMUM HEIGHT OF 10' AND FOR MONUMENT SIGNS AND FOR THE SIGN TO BE LOCATED IN THE MID ONE-THIRD OF THE STREET FRONTAGE IN THE C-2, THOROUGHFARE BUSINESS ZONING DISTRICT. APPLICANT IS SEEKING A 164.29 SQ. FT. SIGN THAT IS 10'10" IN HEIGHT. THE SIGN IS PROPOSED TO BE LOCATED ALONG THE FRONT PROPERTY LINE. A ZBA SETBACK VARIANCE HAS ALSO BEEN REQUESTED TO ALLOW SIGN TO ENCROACH IN THE FRONT YARD SETBACK AND IS CURRENTLY BEING PROCESSED. THE SUBJECT PROPERTY IS GENERALLY LOCATED AT 701 W. HALE STREET, DECATUR, TEXAS.

THE FOLLOWING AGENDA ITEM WAS TABLED AT THE JULY 9TH MEETING. TO DISCUSS, IT WILL NEED TO BE "TAKEN OFF THE TABLE" FOR DISCUSSION AND POSSIBLE ACTION.

8. CONSIDER A REQUEST FOR ELAINE KUNKLEMAN TO HOLD A *CHANGING OF THE SEASONS* (4 RUN RACE SERIES 10K/5K/FUN RUN) ON NOVEMBER 3, 2018 FROM 7:30 A.M. TO 11:00 AM CLOSING PORTIONS OF THOMPSON, DEER PARK AND EAGLE DRIVE.
9. CONSIDER APPOINTMENT OF ANDREW SANDFORD TO THE WCWSD, WITH A TERM TO EXPIRE APRIL 30, 2019.

10. COUNCIL MEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

ADJOURNMENT

I hereby certify that the above agenda was posted on the official bulletin board at City Hall, 201 E. Walnut, Decatur Texas, on Friday, July 20, 2018, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

Diane Cockrell, TRMC, CMC
City Secretary

*NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.