



CITY OF DECATUR, TEXAS

AGENDA
CITY COUNCIL MEETING
Monday, January 14, 2018
REGULAR MEETING
6:00 p.m.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Planning and Zoning Report:

1. CONSIDER TAKING ACTION REGARDING MR. KERRY CLOWER'S REQUEST, ON BEHALF OF THE WISE COUNTY HISTORICAL SOCIETY, INC., TO FINAL PLAT LOT 1, BLOCK 1, WISE COUNTY HERITAGE MUSEUM ADDITION, BEING APPROXIMATELY 1.337 ACRES OF LAND AND A REPLAT OF PART OF BLOCK 108 AND BLOCK 109, PART OF TRINITY STREET AND SHORT STREET, SOUTH DECATUR ADDITION, GENERALLY LOCATED AT THE TERMINUS OF S. TRINITY STREET AT THE INTERSECTION OF CHARLES STREET AND MORE COMMONLY REFERRED TO AS 1602 S. TRINITY STREET, CITY OF DECATUR, WISE COUNTY, TEXAS. A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY IS FOUND ON THE PLAT EXHIBIT LOCATED IN THE STAFF REPORT. **RP2018-14 (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0.)**
2. 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 GRANT A ZONING CHANGE AND TO AMEND THE ZONING MAP FROM SF-2, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO 2F, TWO-FAMILY ZONING DISTRICT FOR AN APPROXIMATE 0.431 ACRE TRACT OF LAND AND FOR AN APPROXIMATE 0.014 ACRES TO THE CENTERLINE OF HENRY STREET (AN UNOPENED R.O.W.) WHERE ADJACENT TO THE 0.431 ACRE TRACT. THE PROPERTY IS LEGALLY DESCRIBED AS LOT 1-R, BLOCK 4, S.L. TERRELL'S ADDITION AND IS MORE COMMONLY REFERRED TO AS 305 E. VERNON STREET, DECATUR, TEXAS. (**APPLICATION ZC2018-04—MR. LARRY HENRY'S REQUEST.**) (**THE PLANNING AND ZONING COMMISSION RECOMMEND DENIAL 6-0. PER SECTION 4.4.7.E. OF THE ZONING ORDINANCE, A VOTE OF THREE-FOURTHS (3/4) OF ALL MEMBERS OF THE CITY COUNCIL IS REQUIRED TO OVERRULE A RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION THAT A PROPOSED CHANGE TO A REGULATION OR BOUNDARY BE DENIED. ADDITIONALLY, OPPOSITION TO THIS APPLICATION HAS REACHED 21.45%. 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.**)
3. CONSIDER TAKING ACTION ON SECOND READING OF AN ORDINANCE AMENDING THE DEER PARK PLANNED DEVELOPMENT (DEER PARK PD), ORDINANCE 2016-03-07, A TRACT OF LAND APPROXIMATELY 47 ACRES OUT OF THE DAVID MOSES SURVEY, A-537 AND THE JOHN C. BULLOCK SURVEY, A-79 AND LOCATED ON THE WEST SIDE OF DEER PARK ROAD AND IMMEDIATELY ADJACENT TO RANN ELEMENTARY SCHOOL, DECATUR, TEXAS AND PREVIOUSLY REFERRED TO AND APPROVED AS ZC2016-01. THE REQUESTED AMENDMENT WOULD AMEND THE PD ORDINANCE TO ELIMINATE THE MAXIMUM SIZE LIMITATION (CURRENTLY 6,000 SQUARE FEET) FOR EACH MULTIPLE

FAMILY STRUCTURE AS REQUIRED BY SECTION 5.1.6 “MF, MULTIPLE-FAMILY RESIDENTIAL DISTRICT,” (E) “SPECIAL REGULATIONS,” ITEM (7) OF THE ZONING ORDINANCE. (**APPLICATION ZC2018-06—MR. JODY ADAMS’ REQUEST, ON BEHALF OF DOUBLE CREEK CAPITAL, LTD.) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 6-0 OF THE PROPOSED DEER PARK PD AMENDMENT REGARDING MULTIPLE FAMILY STRUCTURES, WITH THE FOLLOWING LIMITATION: NO SINGLE STRUCTURE DESIGNED OR ERECTED FOR MULTIPLE FAMILY OCCUPANCY SHALL EXCEED TWELVE THOUSAND (12,000) SQUARE FEET PER FLOOR.)**)

4. HEAR REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2018-25—MR. RANDALL WATSON’S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, SIDEWALKS OF THE CITY OF DECATUR’S DESIGN STANDARDS ON APPROXIMATELY 149 LINEAR FEET ALONG EMMA CALL CT., WHERE ADJACENT TO THE WEST BOUNDARY OF PROPOSED LOT 1R, BLOCK 4, RANGE G, DEVEREUX ADDITION, AND MORE COMMONLY REFERRED TO AS 1400 EMMA CALL CT., 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 DENIAL 5-0 WITH THE CONDITION THAT CONSTRUCTION OF THE SIDEWALK BE DELAYED UNTIL THE LOT IS DEVELOPED, COMMISSIONER STANDRIDGE ABSENT.)**
5. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2018-26—MR. RANDALL WATSON’S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, SIDEWALKS OF THE CITY OF DECATUR’S DESIGN STANDARDS ON APPROXIMATELY 150 LINEAR FEET ALONG N. TRINITY ST., WHERE ADJACENT TO THE EAST BOUNDARY OF PROPOSED LOT 4R, BLOCK 4, RANGE H, DEVEREUX ADDITION, AND MORE COMMONLY REFERRED TO AS 1103 N. TRINITY 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 4-1, COMMISSIONER BERUBE OPPOSED AND COMMISSIONER STANDRIDGE ABSENT.)**
6. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2018-29—MR. JAMES HORNBACK’S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, SIDEWALKS OF THE CITY OF DECATUR’S DESIGN STANDARDS ON APPROXIMATELY 237 LINEAR FEET ALONG HIDDEN OAKS LN., WHERE ADJACENT TO THE NORTH BOUNDARY OF PROPOSED LOT 25R, BLOCK 1, THE ESTATES IN HIDDEN OAKS, AND MORE COMMONLY REFERRED TO AS 1305 HIDDEN OAKS LN., 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, COMMISSIONER STANDRIDGE ABSENT.)**
7. HEAR STAFF REPORT AND CONSIDER TAKING ACTION REGARDING **VARIANCE APPLICATION 2018-30—MR. JAMES HORNBACK’S REQUEST FOR A VARIANCE FROM CHAPTER 1, SECTION 106, SIDEWALKS OF THE CITY OF DECATUR’S DESIGN STANDARDS ON APPROXIMATELY 115 LINEAR FEET ALONG THOUSAND OAKS DR., WHERE ADJACENT TO THE EAST BOUNDARY OF PROPOSED LOT 25R, BLOCK 1, THE ESTATES IN HIDDEN OAKS, AND MORE COMMONLY REFERRED TO AS 1305 HIDDEN OAKS LN., 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, COMMISSIONER STANDRIDGE ABSENT.)**

Open Public Hearing:

8. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX “B,” “ZONING,” OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW CHARITABLE BINGO FOR A RELIGIOUS SOCIETY IN A SF-2, SINGLE-FAMILY RESIDENTIAL ZONING

DISTRICT, ON APPROXIMATELY 7.25 ACRES OF LAND BEING LEGALLY DESCRIBED AS LOT 1, BLOCK 1, ASSUMPTION CLASSROOM #2 ADDITION OR MORE COMMONLY REFERRED TO AS 1305 DEER PARK RD., DECATUR, TEXAS. **(APPLICATION SUP2018-08—MR. HOWARD BIEL’S REQUEST, ON BEHALF OF THE ASSUMPTION OF THE BLESSED VIRGIN MARY CATHOLIC CHURCH.)** A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY CAN BE OBTAINED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, COMMISSIONER STANDRIDGE ABSENT.)**

9. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX “B,” “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC OR MIXED BEVERAGES FOR ON-PREMISES CONSUMPTION IN A C-1, RESTRICTED BUSINESS ZONING DISTRICT, ON APPROXIMATELY 1.38 ACRES OF LAND BEING LEGALLY DESCRIBED AS LOT 8R2, BLOCK 1, LIPSEY ADDITION, OR MORE COMMONLY REFERRED TO AS 2708 S. FM 51, DECATUR, TEXAS. **(APPLICATION SUP2018-09—MR. STEVEN TORRES’ REQUEST, ON BEHALF OF CASA TORRES RESTAURANT.)** A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY CAN BE OBTAINED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, COMMISSIONER STANDRIDGE ABSENT.)**
10. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX “B,” “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PERMANENT MAKEUP APPLICATION, AS A SECONDARY USE, IN A C-1A, DECATUR SQUARE BUSINESS ZONING DISTRICT, ON APPROXIMATELY 0.217 ACRES OF LAND BEING LEGALLY DESCRIBED AS PART OF LOT 3 AND LOT 4, BLOCK 4, ORIGINAL TOWN OF DECATUR, OR MORE COMMONLY REFERRED TO AS 114 E. MAIN ST., DECATUR, TEXAS. **(APPLICATION SUP2018-10—MS. PHYLLIS HOWARD’S REQUEST, ON BEHALF OF TANGLES 2.)** A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY CAN BE OBTAINED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, COMMISSIONER STANDRIDGE ABSENT.)**
11. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX “B,” “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DAYCARE IN A MF, MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICT, ON APPROXIMATELY 1.252 ACRES OF LAND BEING LEGALLY DESCRIBED AS LOT 1, BLOCK A, HEAD START ADDITION, OR MORE COMMONLY REFERRED TO AS 575 W. MULBERRY ST., DECATUR, TEXAS. **(APPLICATION SUP2018-11—COMMUNITY DEVELOPMENT INSTITUTE HEAD START’S REQUEST.)** A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY CAN BE OBTAINED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, COMMISSIONER STANDRIDGE ABSENT.)**
12. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING APPENDIX “B,” “ZONING,” OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO GRANT A ZONING CHANGE AND TO AMEND THE ZONING MAP FROM A SF-2, SINGLE FAMILY RESIDENTIAL DISTRICT ZONING DISTRICT TO A TH, TOWNHOUSE RESIDENTIAL ZONING DISTRICT ON APPROXIMATELY 0.317 ACRE TRACT OF LAND. THE PROPERTY IS LEGALLY DESCRIBED AS 0.038 ACRES IN LOT 1, BLOCK 4, 0.005 ACRES IN LOT 2, BLOCK 4, 0.033 ACRES IN LOT 4, BLOCK 3, ALL IN RANGE H, DEVEREUX’S ADDITION; 0.202 ACRES IN NORTH STATE STREET (UNOPENED R-O-W) AND 0.039 ACRES IN TILDEN STREET (UNOPENED R-O-W), AND IS MORE COMMONLY REFERRED TO AS 1400 EMMA CALL CT., DECATUR, TEXAS. **(APPLICATION ZC2018-05—MR. RANDALL WATSON’S REQUEST.)** **(THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0, COMMISSIONER STANDRIDGE ABSENT.)**

13. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2018-15**—MR. RANDALL WATSON'S REQUEST TO FINAL PLAT LOT 1R, BLOCK 4, RANGE G AND LOT 8R, BLOCK 4, RANGE H, DEVEREUX ADDITION, BEING APPROXIMATELY 1.426 ACRES OF LAND AND A REPLAT OF LOT 4, BLOCK 3 AND PART OF LOT 6, BLOCK 4, RANGE F; PART OF LOT 3, BLOCK 3 AND PART OF LOT 1, BLOCK 4, RANGE G; PART OF LOTS 4 AND 5, BLOCK 3, ALL OF LOTS 1 AND 8 AND PART OF LOTS 2 AND 7, BLOCK 4, RANGE H; PART OF AN ALLEY, PART OF NORTH STATE STREET AND PART OF TILDEN STREET, DEVEREUX ADDITION, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1103 N. TRINITY ST. AND 1400 EMMA CALL CT., 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, COMMISSIONER STANDRIDGE ABSENT.)**
14. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER TAKING ACTION REGARDING **REPLAT APPLICATION 2018-17**—MR. JAMES HORNBACK'S REQUEST TO FINAL PLAT LOT 25R, BLOCK 1, THE ESTATES OF HIDDEN OAKS, BEING APPROXIMATELY 0.604 ACRES OF LAND AND A REPLAT OF LOTS 25 AND 26, BLOCK 1, THE ESTATES OF HIDDEN OAKS, TO THE CITY OF DECATUR, WISE COUNTY, TEXAS AND MORE COMMONLY REFERRED TO AS 1305 HIDDEN OAKS LN., 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, COMMISSIONER STANDRIDGE ABSENT.)**
15. HEAR STAFF REPORT AND PUBLIC COMMENT AND CONSIDER FIRST READING OF AN ORDINANCE AMENDING SUBSECTION E, "SPECIAL REGULATIONS," OF SECTION 5.1.6, "MF, MULTIPLE-FAMILY RESIDENTIAL DISTRICT" OF ARTICLE 5, "ZONING DISTRICTS" OF APPENDIX "B," "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF DECATUR, TEXAS TO INCREASE THE MAXIMUM PER FLOOR SQUARE FOOTAGE ALLOWED FOR MULTIPLE-FAMILY STRUCTURES. **(STAFF INITIATED APPLICATION SI2018-06) (THE PLANNING AND ZONING COMMISSION RECOMMEND APPROVAL 5-0 TO INCREASE THE MAXIMUM PER FLOOR SQUARE FOOTAGE ALLOWED PER MULTIPLE-FAMILY STRUCTURES TO NOT EXCEED 12,000 SQ. FT., COMMISSIONER STANDRIDGE ABSENT.)**
16. CONSIDER AND TAKE ACTION REGARDING A RESOLUTION IDENTIFYING FARM TO MARKET 730 FROM ITS INTERSECTION WITH STATE HIGHWAY 114 TO THE INTERSECTION OF COUNTY ROAD 4181 AS A SERIOUS DETRIMENT TO PUBLIC SAFETY AND URGING THE TEXAS DEPARTMENT OF TRANSPORTATION TO TAKE IMMEDIATE ACTION TO REMEDY HAZARDOUS CONDITIONS.
17. CONSIDER AND TAKE ACTION REGARDING A RESOLUTION CALLING FOR THE GENERAL ELECTION OF CITY OFFICERS; AUTHORIZING EXECUTION OF AN AGREEMENT WITH WISE COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE ELECTION AND AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT; PROVIDING PROCEDURES TO CONDUCT THE ELECTION. *(CONSIDERAR Y TOMAR ACCIONES EN RELACIÓN CON UNA RESOLUCIÓN LLAMANDO A LAS ELECCIONES GENERALES DE OFICIALES MUNICIPALES Y PROPORCIONAR PROCEDIMIENTOS PARA LLEVAR A CABO LA ELECCIÓN.)*
18. DISCUSS AND TAKE ACTION REGARDING ALTERNATE COUNCIL MEETING DATES FOR 2019: MAY 27, NOVEMBER 11 AND DECEMBER 23.
19. **CONSENT AGENDA** – All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- A. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD DECEMBER 10, 2018.
- B. CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD DECEMBER 17, 2018.
- C. CONSIDER APPROVAL OF BILLS AND INVOICES FOR DECEMBER 2017

20. 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, January 11, 2019, by 5:00 p.m., pursuant to the Texas Government Code, Chapter 551.

Diane Cockrell, TRMC, 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.