

**MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS
2ND FLOOR, TEXAS MUNICIPAL BUILDING
220 TEXAS BOULEVARD, TEXARKANA, TEXAS
MONDAY, NOVEMBER 5, 2018
6:00 P.M.**

The Planning and Zoning Commission of the City of Texarkana, Texas met in their regular session, Monday, November 5, 2018 at 6:00 p.m. in the Council Chambers, 2nd floor, Municipal Building, 220 Texas Boulevard, Texarkana, Texas with the following members present:

ATTENDING:

Mr. Gene Joyce, III
Mr. Tom Coleman
Mr. Jay Davis
Ms. Dianna Patterson Kinsey
Mr. James Larkins
Dr. Wanda Northam
Mr. George Merrill

ABSENT:

Mr. Casey Boyette

ALSO ATTENDING:

Mr. David Orr, Director of Planning and Community Development
Ms. Debbie Burk, Zoning Administrator

Mr. Gene Joyce, III, called the meeting to order at 6:00 p.m.

Official notices of the meeting had previously been mailed to all property owners within 200 feet of the property on which the requests had been filed.

Consider preliminary and final plat of Haven Homes Subdivision. House of Refuge Church, owner. MTG Engineering and Surveyors, agent.

Mr. David Williams, MTG Engineering and Surveyors, explained that the purpose of this replat is to create two large lots.

Mr. Larkins made a motion to approve the request. Ms. Kinsey seconded the motion. Members voted unanimously for approval of the motion.

RECOMMENED FOR APPROVAL

Z-18-13: A 1.13 acre tract of land located in the Thomas Price HRS, A-466, located at 3303 New Boston Road. Single Family-2 to General Retail. Virgilio Martinez, applicant.

Mr. Miguel Martinez, son of the applicant and owner, explained that this request is to allow a used automobile dealership at this location.

Mr. Gene Joyce pointed out that there are other planned development properties located in this immediate area.

Mr. David Orr explained that a planned development designation would require a site plan approval process.

Mrs. Betty Sharp, 3305 New Boston Road, presented letters to the Commission from two residential owners in the area. She explained that they did not oppose this type use but were very concerned about not wanting the disruptive presence of a business similar to Wet Willie's Car Wash located just west of this property. Ms. Sharp voiced concerns about lighting and screening. She asked about the possibility of keeping several of the larger pecan trees located on the property.

Mr. Martinez stated that they are a small business that would have approximately 20-30 vehicles with a small office and repair shop.

Mr. Coleman stated that if a planned development designation is placed on the property, Ms. Sharp's concerns about lighting and screening can be addressed.

Mr. Joyce asked Mr. Martinez if he and his father would be willing to amend their application to include the planned development designation. They both agreed to this.

Mr. Coleman made a motion to approve the rezoning to Planned Development-General Retail with the typical stipulations, those being:

1. Any outdoor lighting is to be shielded away from adjacent residential properties.
2. A new substantial 8' screening fence is to be constructed along the east, west and south property lines where adjacent to residential zoned properties.
3. No CEVMS signage allowed.
4. If this use ever ceases to exist at this location, the City may revoke the Specific Use Permit.

Mr. Davis seconded the motion. Members voted unanimously for approval with stipulations.

RECOMMENDED FOR APPROVAL

S-698: Specific Use Permit to allow outdoor automobile sales on a 1.13 acre tract of land located in the Thomas Price HRS, A-466, located at 3303 New Boston Road. Virgilio Martinez, applicant.

This request is for the specific use permit to allow automobile sales at this location.

Mr. Davis made a motion to approve the specific use permit with the same stipulations as listed in the zoning case, those being:

1. Any outdoor lighting is to be shielded away from adjacent residential properties.

2. A new substantial 8' screening fence is to be constructed along the east, west and south property lines where adjacent to residential zoned properties.
3. No CEVMS signage allowed.
4. If this use ever ceases to exist at this location, the City may revoke the Specific Use Permit.

Mr. Larkins seconded the motion. Members voted unanimously for approval with stipulations.

RECOMMENDED FOR APPROVAL

S-699: Specific Use Permit to allow a tattoo studio on a 3.18 acre tract of land in the Willis Oldham HRS, A-117, located at 4501 State Line Avenue (tenant space 120). Hayco Realty, LTD, applicant. Brian A. Harris, agent.

Mr. Brian Harris explained that this request is to allow a tattoo studio in a tenant space in a shopping center at 4501 State Line Avenue. He stated that a tattoo studio had previously been in this same tenant space.

Ms. Burk stated that after that tattoo shop closed, the City had revoked the specific use permit.

Dr. Northam expressed concern about the location of a tattoo studio in this shopping center.

Mr. Joyce asked the applicant about his proposed working hours.

Mr. Harris stated that the hours of operation will be from 9:00 a.m. to 10:00 p.m. but added that he mostly works by appointment.

Mr. Coleman made a motion to approve the request with staff stipulations and the added stipulation of hours of operation. Those stipulations are as follows:

1. That the owner/or any employee performing the application of tattooing 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 if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. That the sale of tobacco products or drug paraphernalia is prohibited.
5. Any remodeling of the current building must meet all city codes and requires licensed contractors.
6. No painting of the windows or the building with advertisement or graphic art.
7. No loitering allowed.
8. The hours of operation will be 9 a.m. to 10 p.m. Monday thru Saturday.

Ms. Kinsey seconded the motion. Mr. Davis, Mr. Larkins and Mr. Merrill voted in favor of the motion. Dr. Northam voted against it. There being a majority vote, the motion carried

RECOMMENDED FOR APPROVAL

Z-18-14: A 0.748 acre tract of land located in the George Brinlee HRS, A-18, located at 4602 McKnight Road. Single Family-2 to Office. Teresa Liepman, applicant.

Ms. Liepman explained that she has been a realtor for approximately fifteen years. She stated that her business has outgrown its current location and she is now requesting to renovate the existing residence at 4602 McKnight Road to be used as her new office. She added that she planned to put up a sign at this new location.

Mr. Orr stated that typical office signs are 6' x 8' monument style signs.

Mr. Davis stated that he was abstaining from voting on this item.

Dr. Northam made a motion to approve the request. Mr. Coleman seconded the motion. Members voted unanimously for approval.

RECOMMENDED FOR APPROVAL

Amendment to Section 140-111(d) "Use Regulations" (10) "Richmond Road Mixed Use Development" of the Zoning Ordinance pertaining to the University Planned Development District (UPDD) Guidelines to allow the additional use of mini-warehouses. Jasper Stover, applicant. Jim Brower, agent.

Mr. Stover and Mr. Brower were both present at the meeting.

Mr. Joyce stated that he would need to abstain from voting on this item.

Mr. Brower explained that he wants to purchase the property at 6300 Richmond Road and develop it with mini-warehouses. He added that front of the office structure will be brick with wrought iron and brick fencing. He stated that this property has been vacant for many years,

Mr. Orr explained that this property is in the City's University's Planned Development District (UPDD). He added that mini-warehouses currently are not an allowed use in this district. He stated that it is staff's opinion that this type use is not consistent with the current uses listed in Area 8 along Richmond Road.

Mr. Coleman pointed out that there has been very little construction or movement in this area of Richmond Road. He stated that he was not against this type use.

Dr. Northam stated that this section of Richmond Road was intended to be the main access corridor to the university and added that she is concerned about allowing this type use.

After more discussion, Mr. Davis made a motion to table the request. Ms. Kinsey seconded the motion. Members voted unanimously for approval.

TABLED

Staff Updates

Mr. Orr stated that the APA award for the Comp Plan and the Planning Excellence award were going to be presented at the November 26th City Council meeting. He welcomed commission members to attend this meeting.

Consider approval of October 1, 2018 Minutes

Ms. Kinsey made a motion to approve the minutes. Mr. Larkins seconded the motion. Members voted unanimously for approval.

RECOMMENDED FOR APPROVAL

There being no further business, the meeting was adjourned.

Gene Joyce, III, Chairman

Debbie Burk, Secretary