

**AGENDA
 PLANNING AND ZONING COMMISSION
 REGULAR MEETING
 CITY OF FERRIS
 A GENERAL LAW MUNICIPAL CORPORATION OF THE
 STATE OF TEXAS, ELLIS COUNTY
 AT THE
 COUNCIL CHAMBERS
 215 W. SIXTH STREET, FERRIS, TEXAS 75125
 6:00 P.M. THURSDAY, JUNE 23, 2016**

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF FERRIS WILL MEET IN REGULAR SESSION AT 6:00 P.M. ON THE 23rd DAY OF JUNE, 2016 AT THEIR REGULAR MEETING PLACE AT 215 W. SIXTH STREET, FERRIS, TEXAS FOR THE PURPOSE OF CONSIDERING:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
<u>COMMISSION BUSINESS</u>		
1.	Call to order.	Ø
2.	Roll call to determine the presence of a quorum.	1
<u>APPROVAL OF MINUTES</u>		
3.	Consider approval of meeting minutes for the Planning and Zoning meeting of January 19, February 1, March 7, May 2 and May 16, 2016.	2
<u>DISCUSSION</u>		
4.	Discussion regarding Granting a change in zoning from residential 3 (“R-3”) to planned development-7 (“PD-7”) on property located South of FM 664 and West of Ewing Blvd. described as approximately 48.568 acres of land in the Shaw Creek Ranch Addition of the City of Ferris, Ellis County, Texas	38
	➤ Presented by Bill Jordan, Chief Building Official	
<u>PUBLIC HEARING</u>		
5.	Open Public Hearing.	Ø

- 6. Conduct Public Hearing to consider granting a change in zoning from residential 3 (“R-3”) to planned development-7 (“PD-7”) on property located South of FM 664 and West of Ewing Blvd. described as approximately 48.568 acres of land in the Shaw Creek Ranch Addition of the City of Ferris, Ellis County, Texas Ø
- 7. Close Public Hearing. Ø

NEW BUSINESS

- 8. Discussion, consideration, and action as may be appropriate regarding granting a change in zoning from residential 3 (“R-3”) to planned development-7 (“PD-7”) on property located South of FM 664 and West of Ewing Blvd. described as approximately 48.568 acres of land in the Shaw Creek Ranch Addition of the City of Ferris, Ellis County, Texas 39

DISCUSSION

- 9. Discussion regarding granting a change from commercial corridor (“C-C”) to planned development - 8 (“PD-8”) on property located North of W. 4th St. and West of N. Main St. described as lot 4R, block 4 of the original town of Ferris Addition of the City of Ferris, Ellis County, Texas. 52

➤ Presented by Bill Jordan, Chief Building Official

PUBLIC HEARING

- 10. Open Public Hearing. Ø
- 11. Conduct public hearing regarding granting a change from commercial corridor (“C-C”) to planned development - 8 (“PD-8”) on property located North of W. 4th St. and West of N. Main St. described as lot 4R, block 4 of the original town of Ferris Addition of the City of Ferris, Ellis County, Texas. Ø
- 12. Close Public Hearing. Ø

NEW BUSINESS

- 13. Discussion, consideration, and action as may be appropriate regarding granting a change from commercial corridor (“C-C”) to planned development - 8 (“PD-8”) on property located North of W. 4th St. and West of N. Main St. described as lot 4R, block 4 of the original town of Ferris Addition of the City of Ferris, Ellis County, Texas. 53
- 14. Discussion regarding Planning and Zoning commission membership. Ø

CLOSING

15. Adjourn. Ø

Executive Session Reservation

The Planning and Zoning Commission reserve the right to convene into an Executive Session (closed to the public) as authorized by Section 551.071(2) of the TEXAS GOVERNMENT CODE, for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Disability Assistance and Accommodation

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (972) 544-2110 two working days prior to the meeting so that appropriate arrangements can be made.

I, CALLIE GREEN, HEREBY CERTIFY
THE FOREGOING NOTICE WAS
POSTED ON OR BEFORE THE 17th
DAY OF JUNE, 2016 BY 6:00 P.M.

CALLIE GREEN
CITY SECRETARY



PLANNING AND ZONING COMMISSION

MEETING ATTENDANCE RECORD

2015-2016

PLANNING AND ZONING COMMISSION			Oct	Jan	Feb	Mar	Apr	May	May	Jun	Jul	Aug	Sep		
Place	Name	Title	5	19	1	7		2	16	23					
Place 1	Jim Kay	Chair	P	P	P	P		P	A						
Place 2	Rudy Amor	Commissioner	P	P	P	P		P	P						
Place 3	Bill Malloy	Commissioner	P	P	P	P		P	P						
Place 4	VACANT	Commissioner	-	-	-	-	-	-							
Place 5	Charles Hatfield	Vice Chair	P	P	P	P		P	P						
Place 6	Christi Farish	Commissioner	A	A	A	A		A	A						
Place 7	Richard Barrett	Commissioner	P	A	P	A		P	P						
Total Present:			6	5	6	5		6							

A quorum of the commission is 4 members.

City Staff		Oct	Jan	Feb	Mar	Apr	May	May	Jun	Jul	Aug	Sep		
Title	Name	5	19	1	7		2	16						
City Manager	Carl Sherman	P	P	P	P		P	P						
Interim City Sec.	Deborah Watkins	P	P	P	P		P	P						
Building Official	Bill Jordan	P	P	P	P		P	P						
Total Present:		3	3	3	3		3							

Chairman- "Will the Secretary please call the roll."
 The Secretary calls each member's position and name.
 They respond if they are present.
 Secretary- "A quorum is present."

P	Present
A	Absent
R	Resigned
D	Deceased
E	End of Term

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE PLANNING AND ZONING COMMISSION JANUARY 19, 2016 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
Alderman, Place 1	James Starr	P
Mayor Pro Tem	Jay Walsh	P
Alderman, Place 3	Bobby Lindsey	P
Alderman, Place 4	Gary Ross	P
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Carl Sherman	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	P
I.T. Director	Doug Childers	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	P
Chief Building Official	Bill Jordan	P
Interim Fire Chief	Tom Leverentz	P
Budget/H.R. Director	Trudy Lewis	P
Police Chief	Eddie Salazar	P
Public Works Director	Red Taylor	A

COMMISSION ATTENDANCE		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	James Swafford	P
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	A
Commissioner, Place 7	Richard Barrett	A

COUNCIL BUSINESS

1. Call to order.

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars called the meeting to order at 6:00 P.M. The invocation was given by Pastor Brian Smith of First Baptist Ferris.

2. Roll call of the City Council to determine the presence of a quorum.

City Secretary Wright called roll and determined that a quorum of the City Council was present.

3. **Roll call of the Planning and Zoning Commission to determine the presence of a quorum.**

City Secretary Wright called roll and determined that a quorum of the Planning and Zoning Commission was present. Commissioner Malloy arrived at 6:15 P.M.

CONSENT AGENDA – CITY COUNCIL

4. **All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.**
 - **Minutes of December 19, 2015 and December 21, 2015 City Council meetings.**
 - **Expenditures for the periods ending December 18, 2015, December 21, 2015, December 23, 2015, December 31, 2015, January 7, 2016, and January 8, 2016.**

Alderman Ross moved to approve the Consent Agenda. Seconded by Mayor Pro Tem Walsh. For: Unanimous. Motion carried 5-0-0.

APPROVAL OF MINUTES – PLANNING AND ZONING COMMISSION

5. **Consider approval of meeting minutes for the Joint City Council and Planning and Zoning meeting of October 5, 2015.**

Vice Chair Hatfield moved to approve the meeting minutes for the Joint City Council and Planning and Zoning meeting of October 5, 2015. Seconded by Commissioner Amor. For: Unanimous. Motion carried 4-0-0. Commissioner Malloy not present for vote.

PUBLIC COMMENT

6. **The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City**

Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

Bea Wallace, resident, expressed her support for City Manager Carl Sherman.

Alderman Ross expressed his support for City Manager Carl Sherman.

Sharon Harris, resident, expressed her support for the proposed hotel and restaurants project, and expressed her support for City Manager Carl Sherman.

Tina Miller, business owner, expressed her support for City Manager Carl Sherman.

Earline Jackson, resident, expressed her support for City Manager Carl Sherman.

James Foster, resident, expressed his support for City Manager Carl Sherman.

DISCUSSION

- 7. Discussion regarding Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1”) to Planned Development-5 (“PD-5”) on property located North of E. 8th Street and East of S. Birch Street described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas.**

Chief Building Official Bill Jordan informed the Mayor and Council that a request was received from the owner of the empty lots in the South Meadow Addition to revert the minimum house size back to 1800 square feet. He explained that when the Zoning Ordinance was adopted in 2012, the minimum house size was increased from 1800 to 2150 square feet.

JOINT PUBLIC HEARING

- 8. Open Joint Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:32 P.M.

9. **Conduct Public Hearing to consider Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1”) to Planned Development-5 (“PD-5”) on property located North of E. 8th Street and East of S. Birch Street described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas.**

Carol Claus, resident of South Meadow Addition, spoke against the approval of the Ordinance and informed the Mayor and Council that when her home was purchased, she was assured that smaller homes would not be built in the neighborhood.

Sharon Harris, resident, spoke in favor of the approval of the Ordinance and informed the Mayor and Council that it is difficult to sell 2150 square foot homes with today’s economy.

10. **Close Joint Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:39 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

11. **Final report by the Planning and Zoning Commission regarding Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1”) to Planned Development-5 (“PD-5”) on property located North of E. 8th Street and East of S. Birch Street described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas.**

Vice Chair Hatfield moved to recommend approval of Ordinance No. O-16-807. Seconded by Commissioner Swafford. For: Kay, Swafford, Hatfield. Against: Malloy. Abstain: Amor. Motion carried 3-1-1.

COUNCIL BUSINESS

12. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1”) to Planned Development-5 (“PD-5”) on property located North of E. 8th Street and East of S. Birch Street described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas.**

Alderman Wright moved to approve Ordinance No. O-16-807. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

CLOSING – PLANNING AND ZONING COMMISSION

13. Adjourn: Planning and Zoning Commission.

Commissioner Swafford moved to adjourn the Planning and Zoning Commission. Seconded by Commissioner Amor. For: Unanimous. The motion carried 5-0-0. With no further business to come before the Planning and Zoning Commission, Chairman Kay adjourned the Commissioners at 6:54 P.M.

PRESENTATION

14. Presentation of the City Manager’s six-month work plan and activities.

City Manager Carl Sherman gave a presentation informing the Mayor and Council that he is focusing on three key infrastructure deficiencies within the City: water, roads, and high speed internet. Additionally, Mr. Sherman has implemented the use of interview panels for the hiring of department heads. Using this process, Mr. Sherman has hired a new Public Works Director and a new Police Chief. During Mr. Sherman’s tenure thus far, the City has purchased a new building to be renovated and used as the Senior Citizens Building. The City has also received a modular building by donation that will be renovated and used as the Public Works Building.

EXECUTIVE SESSION

15. Announcement by the presiding officer that a closed meeting will take place as authorized by Section 551 of the Texas Government Code. Such closed meetings may be held only for the purpose of discussion and no action may be taken or votes cast to reach a decision by the City Council until the City Council has reconvened into open public session. Specifically, the section identified under Chapter 551 that allows a closed meeting to take be held is:

- *Section 551.074 Personnel Matters. Semi-annual performance evaluation and review of related duties of City Manager.*

A governmental body may conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear complaints or charges against such officer or employee, unless such officer or employee who is the subject of the deliberation or hearing requests a public hearing.

16. Adjourn the Public Meeting.

Mayor Driggars called for a ten minute recess at 7:54 P.M. The public meeting was adjourned 8:04 P.M.

17. Conduct Executive Session as authorized by Section 551.074 of the Texas Government Code – *Personnel Matters*.

18. Reconvene into Open Session.

Mayor Driggars reconvened into open session at 9:24 P.M.

19. Action as a result of the above-listed Executive Session.

No action.

CLOSING

20. Adjourn.

Alderman Starr moved to adjourn the meeting. Seconded by Alderman Ross. For: Unanimous. The motion carried 5-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 9:25 P.M.

APPROVED THIS THE 23rd DAY OF JUNE, 2016.

ATTEST:

Callie Green, City Secretary

Jim Kay, Chair

**Important administrative notation:*

These minutes have been composed by using meeting notes provide to the City Secretary, Callie Green.

**STATE OF TEXAS
COUNTY OF ELLIS**

**THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH
THE PLANNING AND ZONING COMMISSION FEBRUARY 1, 2016
AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W.
SIXTH STREET, FERRIS, TEXAS.**

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
Alderman, Place 1	James Starr	P
Mayor Pro Tem	Jay Walsh	P
Alderman, Place 3	Bobby Lindsey	P
Alderman, Place 4	Gary Ross	A
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Carl Sherman	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	P
I.T. Director	Doug Childers	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	A
Chief Building Official	Bill Jordan	P
Interim Fire Chief	Tom Leverentz	P
Budget/H.R. Director	Trudy Lewis	P
Police Chief	Eddie Salazar	P
Public Works Director	Red Taylor	A

COMMISSION ATTENDANCE		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	James Swafford	P
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	A
Commissioner, Place 7	Richard Barrett	P

COUNCIL BUSINESS

1. Call to order.

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars called the meeting to order at 6:00 P.M. The invocation was given by Doug Childers.

2. Roll call of the City Council to determine the presence of a quorum.

City Secretary Wright called roll and determined that a quorum of the City Council was present.

3. **Roll call of the Planning and Zoning Commission to determine the presence of a quorum.**

City Secretary Wright called roll and determined that a quorum of the Planning and Zoning Commission was present.

CONSENT AGENDA – CITY COUNCIL

4. **All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.**

- **Expenditures for the period ending January 22, 2016**

Alderman Wright moved to approve the Consent Agenda. Seconded by Alderman Starr. For: Unanimous. Motion carried 4-0-0.

PUBLIC COMMENT

5. **The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.**

DISCUSSION

6. **Discussion regarding the approval of an amendment to the Zoning Ordinance by amending Article 1, Division 15, Section 2, by adding a definition for “Retail Kiosk”; and by amending Article 2, Division 20, Section 1, Permitted Use Table, by adding the commercial use: “Retail Kiosk” and its associated restriction designations.**

Chief Building Official Bill Jordan informed the Mayor and Council that a request was received from Jake Ellzey to install a stand-alone ice dispensing machine in the parking lot of the Shaw Creek Towne Center located at 454 FM 664. In preparation for the installation of the machine, the Zoning Ordinance will need to be amended to allow for retail kiosk uses.

JOINT PUBLIC HEARING

7. Open Joint Public Hearing.

Mayor Driggars opened the Public Hearing at 6:07 P.M.

8. Conduct Public Hearing to consider the approval of an amendment to the Zoning Ordinance by amending Article 1, Division 15, Section 2, by adding a definition for “Retail Kiosk”; and by amending Article 2, Division 20, Section 1, Permitted Use Table, by adding the commercial use: “Retail Kiosk” and its associated restriction designations.

No comments made.

9. Close Joint Public Hearing.

Mayor Driggars closed the Public Hearing at 6:07 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

10. Final report by the Planning and Zoning Commission regarding the approval of an amendment to the Zoning Ordinance by amending Article 1, Division 15, Section 2, by adding a definition for “Retail Kiosk”; and by amending Article 2, Division 20, Section 1, Permitted Use Table, by adding the commercial use: “Retail Kiosk” and its associated restriction designations.

Commissioner Barrett moved to recommend approval of Ordinance No. O-16-808. Seconded by Commissioner Swafford. For: Unanimous. The motion carried 6-0-0

COUNCIL BUSINESS

- 11. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-808 amending the Zoning Ordinance by amending Article 1, Division 15, Section 2, by adding a definition for “Retail Kiosk”; and by amending Article 2, Division 20, Section 1, Permitted Use Table, by adding the commercial use: “Retail Kiosk” and its associated restriction designations.**

Alderman Wright moved to approve Ordinance No. O-16-808. Seconded by Mayor Pro Tem Walsh. For: Unanimous. Motion carried 4-0-0.

DISCUSSION

- 12. Discussion regarding a Special Use Permit filed by Jake Ellzey.**

Chief Building Official Bill Jordan informed the Mayor and Council that a request was received from Jake Ellzey to install a stand-alone ice dispensing machine in the parking lot of the Shaw Creek Towne Center located at 454 FM 664. A Special Use Permit will need to be approved to allow the retail kiosk use.

JOINT PUBLIC HEARING

- 13. Open Joint Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:13 P.M.

- 14. Conduct Public Hearing to consider Special Use Permit Application No. 16FER-SUP0001 filed by Jake Ellzey for the change in zoning from Commercial Neighborhood Retail (“C-N”) to Commercial Neighborhood Retail-Special Use Permit (“C-N-SUP”) to allow the placement of a retail kiosk on approximately 1.709 acres located West of Ewing Street and South of FM 664, Lot 4 of the Ferris Retail Development Addition, Ferris, Ellis County, Texas.**

No comments made.

- 15. Close Joint Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:14 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

16. **Final report by the Planning and Zoning Commission regarding Special Use Permit Application No. 16FER-SUP0001 filed by Jake Ellzey for the change in zoning from Commercial Neighborhood Retail (“C-N”) to Commercial Neighborhood Retail-Special Use Permit (“C-N-SUP”) to allow the placement of a retail kiosk on approximately 1.709 acres located West of Ewing Street and South of FM 664, Lot 4 of the Ferris Retail Development Addition, Ferris, Ellis County, Texas.**

Vice Chair Hatfield moved to recommend approval of Ordinance No. O-16-809. Seconded by Commissioner Amor. For: Unanimous. The motion carried 6-0-0.

COUNCIL BUSINESS

17. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-809 amending the Zoning Ordinance and the Official Zoning Map by approving Special Use Permit Application No. 16FER-SUP0001 filed by Jake Ellzey for the change in zoning from Commercial Neighborhood Retail (“C-N”) to Commercial Neighborhood Retail-Special Use Permit (“C-N-SUP”) to allow the placement of a retail kiosk on approximately 1.709 acres located West of Ewing Street and South of FM 664, Lot 4 of the Ferris Retail Development Addition, Ferris, Ellis County, Texas.**

Alderman Starr moved to approve Ordinance No. O-16-809. Seconded by Alderman Wright. For: Unanimous. Motion carried 4-0-0.

DISCUSSION

18. **Discussion regarding a Special Use Permit filed by Randy Pennington.**

Chief Building Official Bill Jordan informed the Mayor and Council that a request was received from Randy Pennington to relocate the previously approved billboard and billboard easement approximately 250 feet North of original location.

JOINT PUBLIC HEARING

19. **Open Joint Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:20 P.M.

20. **Conduct Public Hearing to consider Special Use Permit Application No. 16FER-SUP0002 filed by Randy Pennington for the change in zoning from Commercial Corridor Special Use Permit (“C-C-SUP”) to Commercial Corridor-Special Use Permit Revised (“C-C-SUP REV”) to allow the placement of a billboard on approximately .603 acres located West of Interstate 45 and South of East Eighth Street, Lot 1, Block A, of the Martin Primary Media Addition, Ferris, Ellis County, Texas.**

No comments made.

21. **Close Joint Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:20 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

22. **Final report by the Planning and Zoning Commission regarding Special Use Permit Application No. 16FER-SUP0002 filed by Randy Pennington for the change in zoning from Commercial Corridor Special Use Permit (“C-C-SUP”) to Commercial Corridor-Special Use Permit Revised (“C-C-SUP REV”) to allow the placement of a billboard on approximately .603 acres located West of Interstate 45 and South of East Eighth Street, Lot 1, Block A, of the Martin Primary Media Addition, Ferris, Ellis County, Texas.**

Commissioner Swafford moved to recommend approval of Ordinance No. O-16-810 with a spelling correction to be made on Page 2. Seconded by Vice Chair Hatfield. For: Unanimous. The motion carried 6-0-0.

COUNCIL BUSINESS

23. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-810 amending the Zoning Ordinance and the Official Zoning Map by approving Special Use Permit Application No. 16FER-SUP0002 filed by Randy Pennington for the change in zoning from Commercial Corridor Special Use Permit (“C-C-SUP”) to Commercial Corridor-Special Use Permit Revised (“C-C-SUP REV”) to allow the placement of a billboard on approximately .603 acres located West of Interstate 45 and South of East Eighth Street, Lot 1, Block A, of the Martin Primary Media Addition, Ferris, Ellis County, Texas.**

Alderman Wright moved to approve Ordinance No. O-16-810. Seconded by Alderman Starr. For: Unanimous. Motion carried 4-0-0.

CLOSING – PLANNING AND ZONING COMMISSION

24. Adjourn: Planning and Zoning Commission.

Commissioner Barrett moved to adjourn the Planning and Zoning Commission. Seconded by Commissioner Swafford. For: Unanimous. The motion carried 6-0-0. With no further business to come before the Planning and Zoning Commission, Chairman Kay adjourned the Commissioners at 6:25 P.M.

CLOSING

25. Adjourn.

Alderman Starr moved to adjourn the meeting. Seconded by Alderman Wright. For: Unanimous. The motion carried 4-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 6:25 P.M.

APPROVED THIS THE 23RD DAY OF JUNE, 2016.

ATTEST:

Callie Green, City Secretary

Jim Kay, Chair

*Important administrative notation:

These minutes have been composed by using meeting notes provide to the City Secretary, Callie Green

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE PLANNING AND ZONING COMMISSION March 7, 2016 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
Alderman, Place 1	James Starr	P
Mayor Pro Tem	Jay Walsh	A
Alderman, Place 3	Bobby Lindsey	P
Alderman, Place 4	Gary Ross	P
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Carl Sherman	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	P
I.T. Director	Doug Childers	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	A
Chief Building Official	Bill Jordan	P
Fire Chief	Tom Leverentz	P
Budget/H.R. Director	Trudy Lewis	P
Police Chief	Eddie Salazar	P
Public Works Superintendent	Eric Moss	A

COMMISSION ATTENDANCE		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	James Swafford	P
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	A
Commissioner, Place 7	Richard Barrett	A

COUNCIL BUSINESS

1. Call to order.

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars called the meeting to order at 6:01 P.M. The invocation was given by Alderman Ross.

2. Roll call of the City Council to determine the presence of a quorum.

City Secretary Wright called roll and determined that a quorum of the City Council was present.

3. Roll call of the Planning and Zoning Commission to determine the presence of a quorum.

City Secretary Wright called roll and determined that a quorum of the Planning and Zoning Commission was present.

CONSENT AGENDA – CITY COUNCIL

4. All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- **Minutes of January 9, 2016 and January 19, 2016 City Council meetings.**
- **Expenditures for the periods ending February 17, 2016, February 19, 2016, February 25, 2016, and February 29, 2016.**

Alderman Lindsey moved to approve the Consent Agenda. Seconded by Alderman Ross. For: Unanimous. Motion carried 4-0-0.

PUBLIC COMMENT

5. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

- Carl Sherman, City Manager, acknowledged the accomplishment of Rudy Amor, member of Planning & Zoning
- Karen Manning spoke on Item 16 regarding the use of the Scout House for programs for children
- Carmen Soza spoke regarding afternoon programs for children

- Earline Jackson, spoke for Ferris Housing Authority regarding programs for children
- Angela Olaguez spoke on SOA Community Service Center, programs for children
- Maricela Vasquez spoke on SOA Community Service Center, programs for children

INTRODUCTION OF NEW EMPLOYEE

6. Introduction of Policer Jose Munoz.

- Presented by Eddie Salazar, Police Chief

DISCUSSION

7. Discussion regarding the approval of an amendment to the Zoning Ordinance by granting a change in zoning from Planned Development 1 Revised 1 (“PD-1 REV-1”) to Planned Development 1 Revised 2 (“PD-1 REV-2”) on property located South of Ewing Blvd. and East of Meadowgate Cir. described as approximately 3.213 acres of land in the Western Hills Revised 4 Addition of the City of Ferris, Ellis County, Texas

Alderman Ross moved to table the item. Seconded by Alderman Starr. For: Unanimous. Motion carried 4-0-0.

JOINT PUBLIC HEARING

8. Open Joint Public Hearing.

9. Conduct Public Hearing to consider the approval of an amendment to the Zoning Ordinance by amending Article 1, Division 15, Section 2, by adding a definition for “Retail Kiosk”; and by amending Article 2, Division 20, Section 1, Permitted Use Table, by adding the commercial use: “Retail Kiosk” and its associated restriction designations.

No comments from citizens.

10. Close Joint Public Hearing.

No action taken.

PLANNING AND ZONING COMMISSION BUSINESS

11. **Final report by the Planning and Zoning Commission regarding the approval of an amendment to the Zoning Ordinance by amending Article 1, Division 15, Section 2, by adding a definition for “Retail Kiosk”; and by amending Article 2, Division 20, Section 1, Permitted Use Table, by adding the commercial use: “Retail Kiosk” and its associated restriction designations.**

No action taken

COUNCIL BUSINESS

12. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-808 amending the Zoning Ordinance by amending Article 1, Division 15, Section 2, by adding a definition for “Retail Kiosk”; and by amending Article 2, Division 20, Section 1, Permitted Use Table, by adding the commercial use: “Retail Kiosk” and its associated restriction designations.**

No action taken.

CLOSING – PLANNING AND ZONING COMMISSION

13. **Adjourn: Planning and Zoning Commission**

NEW BUSINESS

14. **Discussion, consideration, and action as may be appropriate regarding the acceptance of the FY 2014-2015 as Annual Audit as presented by Yeldell, Wilson, Wood, & Reeve, P.C>**

Alderman Starr moved to accept the annual audit of the financial report for the fiscal year ending September 30, 2015. Seconded by Alderman Ross. For: Unanimous. Motion carried 4-0-0.

DISCUSSION

15. **Discussion regarding a request to open a gun range in the City limits.**

No action taken.

NEW BUSINESS

16. **Discussion, consideration, and action as may be appropriate regarding a request received from Terasa Sneed and Diane Lankford to use the Scout House for an at-risk after school program.**

The following citizens spoke on the item:

- Diane Lankford
- Terasa Sneed

Alderman Ross moved to table the item. Seconded by Alderman Starr. For: Unanimous. Motion carried 4-0-0.

17. **Discussion, consideration, and action as may be appropriate regarding the approval of a floor plan for the new Senior Citizens Building.**

Alderman Starr moved to approve the floor plan B for the new Senior Citizens Building as the Senior approves. Seconded by Alderman Wright. For: Unanimous. Motion carried. 4-0-0.

BID AWARD

18. **Discussion, consideration, and action as may be appropriate regarding the bid award for the abatement of asbestos and for asbestos abatement monitoring services.**

Alderman Ross moved to authorize the City Manager to enter into a contract with Pacific Environmental Group LLC in an amount not to exceed \$30,500 for the abatement of the asbestos and Precision Environmental Services for asbestos abatement monitoring services in an amount not to exceed \$3,500 for the Ferris Senior Center Building. Seconded by Alderman Starr. Motion carried 3-1-0.

ORDINANCES

19. **Discussion, consideration and action as may be appropriate regarding Ordinance No. O-16-812 amending the budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016.**

Alderman Ross moved to approve Ordinance No. 0-16-812 amending the budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016. Seconded by Alderman Lindsey. For: Unanimous. Motion carried 4-0-0.

CLOSING

25. Adjourn.

Alderman Ross moved to adjourn the meeting. Seconded by Alderman Starr. For: Unanimous. The motion carried 4-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 8:35 P.M.

APPROVED THIS THE 23rd DAY OF JUNE, 2016.

ATTEST:

Callie Green, City Secretary

Jim Kay, Chair

**Important administrative notation:*

These minutes have been composed by using meeting notes provided to City Secretary, Callie Green.

**STATE OF TEXAS
COUNTY OF ELLIS**

**THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH
THE PLANNING AND ZONING COMMISSION May 2, 2016 AT 3:30
P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH
STREET, FERRIS, TEXAS.**

MEMBER ATTENDANCE			*
Mayor	Micheal Driggars	P	P
Alderman, Place 1	James Starr	P	P
Mayor Pro Tem	Jay Walsh	P	P
Alderman, Place 3	Bobby Lindsey	P	P
Alderman, Place 4	Gary Ross	A	P
Alderman, Place 5	Carol Wright	P	P

*Attendance after Council reconvened at 6:00 P.M.

STAFF ATTENDANCE		
City Manager	Carl Sherman	P
Interim City Secretary	Deborah Watkins	P
City Attorney	Kent Hofmeister	A
I.T. Director	Doug Childers	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	P
Chief Building Official	Bill Jordan	P
Fire Chief	Tom Leverentz	P
Budget/H.R. Director	Trudy Lewis	A
Police Chief	Eddie Salazar	A
Public Works Superintendent	Eric Moss	A

COMMISSION ATTENDANCE		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	James Swafford	P
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	A
Commissioner, Place 7	Richard Barrett	P

COUNCIL BUSINESS

1. Call to order.

Mayor Driggars called the meeting to order at 3:30 P.M

2. Roll call of the City Council to determine the presence of a quorum.

Interim City Secretary, Deborah Watkins called roll and determined that a quorum of the City Council was present.

EXECUTIVE SESSION

3. **Announcement by the presiding officer that a closed meeting will take place as authorized by Section 551.074 of the Texas Open Meetings Act – “Personnel Matters”.** A governmental body may conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a city officer or employee, or to hear complaints or charges against such officer or employee, unless such officer or employee request a public hearing.

➤ *City Council to conduct second round of employment interviews with candidates for City Secretary*

4. **Recess the Public Meeting.**

Mayor Driggars recessed the public meeting at 3:37 p.m.

5. **Conduct Executive Session as authorized by Section 551.074 of the Texas Open Meetings Act – “Personnel Matters”.**

- City Council to conduct second round of employment interviews with candidates for City Secretary

6. **Reconvened into Open Session**

Mayor Driggars reconvened into open session at 4:16 p.m.

7. **Action as a result of above-listed Executive Session**

Alderman Starr move to make an offer to the candidate receiving a consensus of the City Council, contingent on response, make offer to the candidate receiving the next highest consensus of City Council. Seconded by Mayor Pro Tem Walsh. For: Unanimous. The motion carried 4-0-0

8. **Recess the Public Meeting**

Mayor Driggars recessed the public meeting at 4:17 p.m.

RECONVENED JOINT MEETING OF FERRIS CITY COUNCIL & PLANNING AND ZONING COMMISSION

9. **Reconvened and called to order Public Meeting.**

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars reconvened and called the meeting to order at 6:00 p.m. The invocation was given by Alderman Ross.

10. Roll Call of the City Council to determine the presence of a quorum.

Interim City Secretary, Deborah Watkins, called roll and determined that a quorum was present.

11. Roll call of the Planning and Zoning Commission to determine the presence of a quorum.

Interim City Secretary, Deborah Watkins, called roll and determined that a quorum was present.

CONSENT AGENDA – CITY COUNCIL

12. All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- **Minutes of April 16 and April 18, 2016 City Council meetings.**
- **Expenditures for the period ending April 15, 2016**

Alderman Ross moved to approve the Consent Agenda. Seconded by Alderman Wright. For: Unanimous. Motion carried 5-0-0.

PUBLIC COMMENTS

13. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

No comments from the public

INTRODUCTION OF GUEST

14. Introduction of Ellis County Press Special Correspondent, Rita Cook

➤ *Presented by Carl Sherman, City Manager*

INTRODUCTION OF NEW EMPLOYEES

15. Introduction of Police Officers, Phillip Pearson and Yesenia Serrano

➤ *Presented by Jeffrey Johnson, Sergeant, Police Department*

COUNCIL PROCLAMATION

16. Presentation of Proclamation recognizing May 2016 as “Motorcycle Safety and Awareness Month”

➤ *Presented by Micheal L. Driggars, Mayor*

OLD BUSINESS

DISCUSSION

17. Discussion regarding the approval of an amendment to the Zoning Ordinance by granting a change in zoning from Planned Development 1 Revised 1 (“PD-1 REV-1”) to Planned Development 1 Revised 2 (“PD-1 REV-2”) on property located South of Ewing Blvd. and East of Meadowgate Cir. described as approximately 3.213 acres of land in the Western Hills Revised 4 Addition of the City of Ferris, Ellis County, Texas.

Chief Building Official, Bill Jordan, informed the Mayor and Council that all matters relating to the request to approve the amendment to the Zoning Ordinance granting a change in zoning had been resolved.

JOINT PUBLIC HEARING

18. Open Public Hearing.

Mayor Driggars opened the public hearing at 6:17 p.m.

19. Conduct Public Hearing to consider the approval of an amendment to the Zoning Ordinance by granting a change in zoning from Planned Development 1 Revised 1 (“PD-1 REV-1”) to Planned Development 1 Revised 2 (“PD-1 REV-2”) on property located South of Ewing Blvd. and East of Meadowgate Cir. described as approximately 3.213 acres of land in the Western Hills Revised 4 Addition of the City of Ferris, Ellis County, Texas.

No comments made.

20. Close Public Hearing.

Mayor Driggars closed the public hearing at 6:18 p.m.

PLANNING AND ZONING COMMISSION BUSINESS

- 21. Final report by the Planning and Zoning Commission regarding the approval of an amendment to the Zoning Ordinance by granting a change in zoning from Planned Development 1 Revised 1 (“PD-1 REV-1”) to Planned Development 1 Revised 2 (“PD-1 REV-2”) on property located South of Ewing Blvd. and East of Meadowgate Cir. described as approximately 3.213 acres of land in the Western Hills Revised 4 Addition of the City of Ferris, Ellis County, Texas.**

Commissioner Swafford moved to recommend approval of an amendment to Ordinance No. O-16-811. Seconded by Vice-Chair Hatfield. For: Unanimous. Motion carried 6-0-0.

COUNCIL BUSINESS

- 22. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-811 amending the Zoning Ordinance by granting a change in zoning from Planned Development 1 Revised 1 (“PD-1 REV-1”) to Planned Development 1 Revised 2 (“PD-1 REV-2”) on property located South of Ewing Blvd. and East of Meadowgate Cir. described as approximately 3.213 acres of land in the Western Hills Revised 4 Addition of the City of Ferris, Ellis County, Texas**

Alderman Starr moved to approve Ordinance No. O-16-811. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

NEW BUSINESS

DISCUSSION

- 23. Discussion regarding the approval to replat lots 2-6, Block 4, Mutz Addition of the City of Ferris to eliminate internal lot lines and create a new legal description for the property, presented as Lot 2A, Block 4, Mutz Addition of the City of Ferris, Ellis County Texas.**

Chief Building Official, Bill Jordan, informed the Mayor and Council that during a document organization project, staff located the plats for the current library facility and noticed they had not been filed with the County. The plats were

outdated and had an error. The plats were corrected and being presented for approval. This will not change the library facility or property boundaries. The plat will eliminate internal lot lines and create a new legal description for the property.

JOINT PUBLIC HEARING

24. Open Public Hearing.

Mayor Driggars opened the public hearing at 6:27 p.m.

25. Conduct Public Hearing to consider the approval to replat lots 2-6, Block 4, Mutz Addition of the City of Ferris to eliminate internal lot lines and create a new legal description for the property, presented as Lot 2A, Block 4, Mutz Addition of the City of Ferris, Ellis County Texas.

No comments made.

26. Close Public Hearing.

Mayor Driggars closed the public hearing at 6:28 p.m.

PLANNING AND ZONING COMMISSION BUSINESS

27. Final report by the Planning and Zoning Commission regarding the approval to replat lots 2-6, Block 4, Mutz Addition of the City of Ferris to eliminate internal lot lines and create a new legal description for the property, presented as Lot 2A, Block 4, Mutz Addition of the City of Ferris, Ellis County Texas.

Commissioner Amor moved to recommended approval to replat lots 2-6, Block 4, Mutz Addition of the City of Ferris to eliminate internal lot lines and create a new legal description for the property, presented as Lot 2A, Block 4, Mutz Addition. Seconded by Vice-Chair Hatfield. For: Unanimous. Motion carried 6-0-0

COUNCIL BUSINESS

28. Discussion, consideration, and action as may be appropriate regarding the approval to replat lots 2-6, Block 4, Mutz Addition of the City of Ferris to eliminate internal lot lines and create a new legal description for the property, presented as Lot 2A, Block 4, Mutz Addition of the City of Ferris, Ellis County Texas.

Alderman Starr moved to approve the replat lots 2-6, Block 4, Mutz Addition of the City of Ferris to eliminate internal lot lines and create a new legal description

for the property, presented as Lot 2A, Block 4, Mutz Addition. Seconded by Alderman Lindsey. For: Unanimous. Motion carried 5-0-0

CLOSING – PLANNING AND ZONING COMMISSION

29. Adjourn: Planning and Zoning Commission.

Commissioner Barrett moved to adjourn the Planning and Zoning Commission. Seconded by Commissioner Malloy. For: Unanimous. The motion carried 6-0-0. With no further business to come before the Planning and Zoning Commission, Chairman Kay adjourned the Commissioners at 6:35 p.m.

INTERLOCAL AGREEMENT

30. Discussion, consideration, and action as may be appropriate regarding authorizing the City Manager to enter into an Interlocal Agreement with the Ferris Independent School District for use of fuel station.

Alderman Ross moved to authorize the City Manager to enter into an Interlocal Agreement with the Ferris Independent School District for use of fuel station. Seconded by Alderman Starr. For: Unanimous. Motion carried 5-0-0.

ORDINANCES

31. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-813 enacting and adopting the 2016 supplement to the Code of Ordinances for the City of Ferris.

Alderman Starr moved to approve Ordinance No. O-16-813 to adopt the 2016 supplement to the Code of Ordinances for the City of Ferris. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0

32. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-814 repealing Ordinance No. O-14-760 in its entirety and replacing it with a new Fee Schedule.

Alderman Starr moved to approve Ordinance No. O-16-814, repealing O-14-760 in its entirety and replacing it with a new Fee Schedule.

EXECUTIVE SESSION

- 33. Announcement by presiding officer that the City Council will recess into closed executive session as allowed by Section 551.074, Personnel Matter, of the Texas Government Code. A governmental body may conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear complaints or charges against such officer or employee, unless such officer or employee who is the subject of the deliberation or hearing requests a public hearing. Such closed meetings may be held only for the purpose of discussion and no action may be taken or votes cast to reach a decision by the City Council until the City Council has reconvened into open public session.**

➤ *Annual performance review of Scott Kurth, Municipal Judge*

- 34. Recess the Public Meeting.**

Mayor Driggars recessed the public meeting at 6:48 p.m.

- 35. Conduct Executive Session as authorized by Section 551.074 of the Texas Open Meetings Act – “Personnel Matters”.**

- Discussion of annual performance review of Scott Kurth, Municipal Judge

- 36. Reconvene into Open Session.**

Mayor Driggars reconvened into open session at 7:48 p.m.

- 37. Action as a result of above-listed Executive Session.**

Alderman Starr moved to continue the employment services of Scott Kurth, Municipal Judge. Seconded by Alderman Wright. For: Unanimous. Motion Carried 5-0-0.

- 38. Adjourn**

Alderman Ross moved to adjourn the meeting. Seconded by Mayor Pro Tem Walsh. For: Unanimous. The motion carried 5-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 8:00 p.m.

APPROVED THIS THE 23rd DAY OF JUNE, 2016.

ATTEST:

Callie Green, City Secretary

Jim Kay, Chair

*Important administrative notation:

These minutes have been composed by using meeting notes provided to City Secretary, Callie Green.

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE PLANNING AND ZONING COMMISSION MAY 16, 2016 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
*Alderman, Place 1	James Starr	P
Mayor Pro Tem	Jay Walsh	P
Alderman, Place 3	Bobby Lindsey	P
*Alderman, Place 4	Gary Ross	P
Alderman, Place 5	Carol Wright	P

**Alderman, Place 1	Clayton Hunter	P
**Alderman, Place 4	James Swafford	P
*Served until approval of election results and swearing-in		
**Served after approval of election results and swearing-in		

STAFF ATTENDANCE		
City Manager	Carl Sherman	P
Interim City Secretary	Deborah Watkins	P
City Attorney	Kent Hofmeister	A
I.T. Director	Doug Childers	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	P
Chief Building Official	Bill Jordan	P
Fire Chief	Tom Leverentz	P
Budget/H.R. Director	Trudy Lewis	P
Police Chief	Eddie Salazar	P
Public Works Superintendent	Eric Moss	P

COMMISSION ATTENDANCE		
Chair	Jim Kay	A
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	Vacant	
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	A
Commissioner, Place 7	Richard Barrett	P

COUNCIL BUSINESS

1. Call to order.

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars called the meeting to order at 6:00 P.M. The invocation was given by Alderman Ross.

2. Roll call of the City Council to determine the presence of a quorum.

Interim City Secretary Watkins called roll and determined that a quorum of the City Council was present.

3. Roll call of the Planning and Zoning Commission to determine the presence of a quorum.

Interim City Secretary Watkins called roll and determined that a quorum of the Planning and Zoning Commission was present.

CONSENT AGENDA – CITY COUNCIL

4. All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- Minutes of May 2, 2016 City Council meetings.
- Expenditures for the period ending April 29, 2016.

Alderman Ross moved to approve the Consent Agenda. Seconded by Alderman Starr. For: Unanimous. (Alderman Wright absent when vote was taken) Motion carried 4-0-0.

PUBLIC COMMENT

5. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

No comments from the public.

COUNCIL DISCUSSION

6. Canvass votes for the City of Ferris General Election held May 7, 2016.

Mayor Driggars and Council canvassed the votes for the May 7, 2016 General Election

7. Discussion, consideration, and action as may be appropriate regarding Resolution No. R-16-196 declaring the results of the City of Ferris General Election held May 7, 2016.

Alderman Starr moved to approve Resolution R-16-196 declaring the results of the City of Ferris General Election held May 7, 2016. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

8. Mayor to issue Certificate of Election to the newly elected members of Council: Mayor – Micheal L. Driggars, Alderman, Place 1 – Clayton Hunter, and Alderman, Place 4 – James Swafford

Mayor Driggars issued Certificates of Election to the newly elected members of Council: Mayor – Micheal L. Driggars, Alderman, Place 1 – Clayton Hunter, and Alderman, Place 4 – James Swafford.

9. Swear in newly elected Mayor and Members of Council.

Interim City Secretary Watkins administered the Oath of Office to the newly elected Mayor and Members of Council.

10. Election of Mayor Pro Tem.

Alderman Lindsey moved to nominate Jay Walsh for the position of Mayor Pro Tem. Seconded by Alderman Wright. For: Unanimous. Motion carried 5-0-0.

11. Discussion, consideration, and action as may be appropriate regarding the approval of Resolution R-16-197 appointing Callie Green, City Secretary, effective May 23, 2016.

Alderman Lindsey moved to approve R-16-197 appointing Callie Green, City Secretary, effective May 23, 2016. Seconded by Alderman Swafford. For: Unanimous. Motion carried 5-0-0.

PLANNING AND ZONING COMMISSION MEMBERS

12. **Discussion, consideration, and action as may be appropriate regarding a development plan relating to granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development described herein on property located East of S. Central St. and South of E. 6th St. described as approximately .049 acres of land being East 85 feet of Lot 10, Block 12, of the OT Ferris Subdivision, Ferris, Ellis County, Texas, commonly known as 200 S. Central St.; providing for the approval of a Development Plan and use restrictions**

Chief Building Official, Bill Jordan, stated the item is a request to approve the development plan for a Mixed Use Restaurant Retail and Kiosk Park. The applicants, Jake Ellzey and Mike Moffitt, have requested a Zoning change for 200 S. Central Blvd. to allow for the installation of a stand-alone ice dispensing machine, mobile food vending court, and outdoor dining facilities. At the February 1st, 2016 City Council Meeting, the Council approved the installation of a retail ice kiosk at 454 FM 664 (In front of Subway). Unfortunately, due to the location of overhead and underground utilities, the approved location would not work. Mr. Ellzey made every attempt to identify a suitable location on the approved lot, however, none could be found. Knowing that Mr. Ellzey had already made a significant investment in Ferris in the Purchase of the Ice Machine, staff worked with Mr. Ellzey to locate an alternate site for the machine. We identified 200 S. Central as a prime property. This now vacant lot has historically been run down with used car lots and an old trailer converted into a building. The lot is only 20 feet wide and as such is not attractive for most commercial development. The property owner, Mike Moffitt, has struggled with making the property profitable, and was eager to pursue this endeavor. This item is the first portion of a two-part approval for a zoning change to a Planned Development. The proposed development plan provides for more than ample parking, landscaping that exceeds the minimum requirements, and provides a place for mobile gourmet food trucks to operate; a growing and popular trend.

CITY COUNCIL PUBLIC HEARING

13. **Open Public Hearing.**

Mayor Driggars opened the public hearing at 6:34 P.M.

14. **Conduct Public Hearing to consider the approval of development plan and use restrictions.**

No comments made.

15. **Close Public Hearing.**

Mayor Driggars closed the public hearing at 6:34 P.M.

COUNCIL BUSINESS

16. **Discussion, consideration, and action as may be appropriate regarding approval of development plan relating to granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development described herein on property located East of S. Central St. and South of E. 6th St. described as approximately .049 acres of land being East 85 feet of Lot 10, Block 12, of the OT Ferris Subdivision, Ferris, Ellis County, Texas, commonly known as 200 S. Central St.; providing for the approval of a Development Plan and use restrictions.**

Alderman Lindsey moved to table the item. Seconded by Alderman Wright. No action was taken.

After discussion, Mayor Pro Tem Walsh moved to approve the development plan and use restrictions. Seconded by Alderman Wright. For: Unanimous. Motion carried 5-0-0.

PLANNING AND ZONING COMMISSION BUSINESS

17. **Discussion regarding the approval of an amendment to the Zoning Ordinance by granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development described herein on property located East of S. Central St. and South of E. 6th St. described as approximately .049 acres of land being East 85 feet of Lot 10, Block 12, of the OT Ferris Subdivision, Ferris, Ellis County, Texas, commonly known as 200 S. Central St.; providing for the approval of a Development Plan and use restrictions.**

Chief Building Official, Bill Jordan, stated the item is the second portion of the two-part approval for a zoning change to a Planned Development. The ordinance will affect the zoning change to a Planned Development, require the site plan be substantially adhered to, and provide for development restrictions. The change will continue to allow for all uses and restrictions currently in place, but will additionally allow a new use of a Mixed Use Restaurant Retail and Kiosk Park; A business that provides outdoor rental space for up to four retail and or restaurant oriented uses that are either stationary or mobile, temporary or permanent, and manned or unmanned to be operated on the property. Additionally, outside storage is restricted to outdoor dining tables, trashcans etc.

JOINT PUBLIC HEARING

18. Open Public Hearing

Mayor Driggars opened the public hearing at 6:40 P.M.

19. Conduct Public Hearing to consider the approval of an amendment to the Zoning Ordinance by granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development described herein on property located East of S. Central St. and South of E. 6th St. described as approximately .049 acres of land being East 85 feet of Lot 10, Block 12, of the OT Ferris Subdivision, Ferris, Ellis County, Texas, commonly known as 200 S. Central St.; providing for the approval of a Development Plan and use restrictions

- Jake Ellzey, the applicant, spoke on the request for approval of an amendment to the Zoning Ordinance.

20. Close Public Hearing

Mayor Driggars closed the joint public hearing at 6:43 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

21. Final report by the Planning and Zoning Commission regarding the approval of an amendment to the Zoning Ordinance by granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development described herein on property located East of S. Central St. and South of E. 6th St. described as approximately .049 acres of land being East 85 feet of Lot 10, Block 12, of the OT Ferris Subdivision, Ferris, Ellis County, Texas, commonly known as 200 S. Central St.; providing for the approval of a Development Plan and use restrictions

Commissioner Barrett moved to recommended approval of O-16-815 by granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development. Seconded by Commissioner Amor. For: Commissioners Barrett and Amor. Abstentions: Commissioners Vice-Chair Hatfield and Malloy. Motion carried 2-0-2.

COUNCIL BUSINESS

22. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-815 amending the Zoning Ordinance by granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development described herein on property located East of S. Central St. and South of E. 6th St. described as approximately .049 acres of land being East 85 feet of Lot 10, Block 12, of the OT Ferris Subdivision, Ferris, Ellis County, Texas, commonly known as 200 S. Central St.; providing for the approval of a Development Plan and use restrictions**

Mayor Pro Tem Walsh moved to approve Ordinance No. O-16-815 amending the zoning Ordinance by granting a change in zoning from commercial coordinator (“C-C”) to Planned Development -6 (“PD-6”) for a mixed use Development. Seconded by Alderman Swafford. For: Unanimous. Motion carried 5-0-0

CLOSING – PLANNING AND ZONING COMMISSION

23. **Adjourn: Planning and Zoning Commission**

Commissioner Barrett moved to adjourn the Planning and Zoning Commission. Seconded by Commissioner Amor. For: Unanimous. The motion carried 4-0-0. With no further business to come before the Planning and Zoning Commission, Vice-Chairman Hatfield adjourned the Commissioners at 7:00 P.M.

COUNCIL BUSINESS

24. **Discussion of current and future items for the consideration by the incoming**

City Manager, Carl Sherman, discussed the status of projects that have been completed and those still outstanding. No action taken.

CLOSING

25. **Adjourn.**

Alderman Wright moved to adjourn the meeting. Seconded by Alderman Swafford. For: Unanimous. The motion carried 5-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 8:01 P.M.

APPROVED THIS THE 23th DAY OF JUNE, 2016.

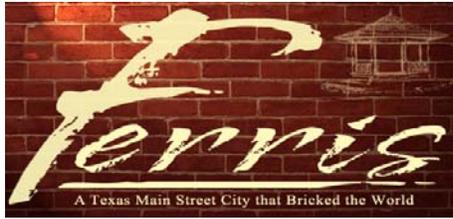
ATTEST:

Callie Green, City Secretary

Jim Kay, Chair

**Important administrative notation:*

These minutes have been composed by using meeting notes provided to the City Secretary, Callie Green.



City of Ferris

AGENDA ITEM REPORT

Meeting Date:	June 23, 2016
Department:	Code Compliance
Submitted By:	W. Jordan
Previously Reviewed By:	
Item Type:	<input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action
Budgeted Expense:	<input type="checkbox"/> No <input type="checkbox"/> Yes, Amount: _____

Attachments:
Ordinance W/Attachments
Discussion / Justification:
Wall Homes is the current builder within the Shaw Creek Ranch Subdivision. They had had some difficulty in closing on new homes due to the zoning restrictions in the neighborhood. Specifically, their homes generally fit on the lots, but more often than not homebuyers are asking for a covered porch to be added to the rear of the home. The covered porch, depending on the size of the home in most cases will either be in violation of the 25 foot rear setback, or will bring the overall lot coverage above the maximum 40%. This zoning change will reduce the rear setback to 10 feet and increase the maximum lot coverage to 60%. All other aspects of the neighborhood's zoning will remain the same.
Recommendation / Staff Comments:
Staff recommends the P&Z Commission recommend this ordinance to City Council.
Motion(s):
I make a motion to recommend that the Ferris City Council approve Planned Development-6 by ordinance. I make a motion to recommend that the Ferris City Council approve Planned Development-6 by ordinance with the following amendments: _____. I make a motion to recommend that the Ferris City Council not approve Planned Development-6 by ordinance. I make a motion to table this item.

AN ORDINANCE OF THE CITY OF FERRIS, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FERRIS, TEXAS AMENDING THE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM RESIDENTIAL 3 (“R-3”) TO PLANNED DEVELOPMENT-7 (“PD-7”) ON PROPERTY LOCATED SOUTH OF FM 664 AND WEST OF EWING BLVD. DESCRIBED AS APPROXIMATELY 48.568 ACRES OF LAND IN THE SHAW CREEK RANCH ADDITION OF THE CITY OF FERRIS, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF USE RESTRICTIONS WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT B; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Ferris, Texas in compliance with the laws of the State of Texas and pursuant to the Zoning Ordinance of the City of Ferris, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Planned Development-7 should be approved, and in the exercise of legislative discretion have concluded that the Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FERRIS, TEXAS;

SECTION 1. That the Zoning Ordinance and Map of the City of Ferris, Texas, duly passed by the governing body of the City of Ferris, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Residential 3 (“R-3”) to Planned Development-7 (“PD-7”) on property located South of FM 664 and West of Ewing Blvd. described as approximately 48.568 acres of land in the Shaw Creek Ranch Addition of the City of Ferris, Ellis County, Texas, and being more particularly described in exhibit A, which is attached hereto and incorporated herein.

SECTION 2. The property shall be developed and used in accordance with the development standards under the Ferris Zoning Ordinance, ordinances of the City of Ferris, and development restrictions as established herein, which are attached hereto and incorporated herein as Exhibit B.

SECTION 3. That the development restrictions attached hereto as Exhibit B and made a part hereof for all purposes, are hereby approved.

SECTION 4. That the Zoning Ordinance of the City of Ferris, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Ferris, Texas and the Ferris Zoning Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such codes, in which event the conflicting provision of such ordinance and such codes are hereby repealed.

SECTION 6. It is hereby declared that it is the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 7. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8. All rights and remedies of the City of Ferris are expressly saved as to any and all violations of the provisions of any ordinances governing zoning or platting that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9. This ordinance shall be in full force and effect from this and after its passage and publication as required by law, and it is so ordained.

DULY PASSED and approved by the City Council of the City of Ferris, Texas on this the _____ day of _____, 2016.

APPROVED:

MICHEAL DRIGGARS, MAYOR

ATTEST:

CALLIE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

KENT HOFMEISTER, CITY ATTORNEY

Planned Development-7

Legal Description

Planned Development-7 (PD-7) shall include all property within the Shaw Creek Ranch Subdivision of the City of Ferris, Ellis County, Texas to include the following property:

LOT 1 BLOCK A SHAW CREEK RANCH PHASE 1A
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Planned Development-7 Development Restrictions

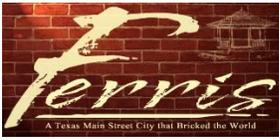
Base Zoning

Where not amended by this document, The Ferris Zoning Ordinance shall apply to property located within Planned Development-7 (“PD-7”) as if such property were zoned Residential-3 (“R-3”).

Development Restrictions

Rear Setback - The minimum rear setback for all lots within Planned Development-7 (PD-7) shall be ten (10) feet.

Lot Coverage - The maximum lot coverage for all lots within Planned Development-7 (PD-7) shall be sixty percent (60%) of the area of the lot.



PLANNING & ZONING COMMISSION

REPORT TO CITY COUNCIL

TO: Ferris City Council
FROM: Planning and Zoning Commission
RE: Planned Development – 7 (Shaw Creek Ranch)
DATE: June 23, 2016

This is the report required to be submitted by the Planning and Zoning Commission per Section 154.111(D) of the Ferris Code of Ordinances. This report also serves as the final report that is to be used by the Council in its consideration of the amendment as set forth in 154.111(D).

Background

Wall Homes is the current builder within the Shaw Creek Ranch Subdivision. They had had some difficulty in closing on new homes due to the zoning restrictions in the neighborhood. Specifically, their homes generally fit on the lots, but more often than not homebuyers are asking for a covered porch to be added to the rear of the home. The covered porch, depending on the size of the home in most cases will either be in violation of the 25 foot rear setback, or will bring the overall lot coverage above the maximum 40%.

Parcel Information

Current Use Single Family Residential (developed and undeveloped)

Proposed Use Single Family Residential

Adjacent property:

North: FM 664

West: Vacant Land (Residential)

East: Vacant Land (Commercial)

South: One residence and Vacant Land (All outside the City Limits of Ferris)

Future Land Use Plan

Low Density Residential

Requested Action

Amend the base zoning to allow for a rear setback reduction from 25 feet to 10 feet, and to increase the maximum lot coverage from 40% to 60%.

Public Notification

Published in the Waxahachie Daily Light on June 3, 2016

Posted at City Hall and the City's website on June 17, 2016.

Recommendation

The Ferris Planning and Zoning Commission has carefully considered the above stated request based on the facts of the case and how such request would:

- 1. Be consistent with guiding documents,
- 2. Be compatible with the surrounding area,
- 3. Promote health, safety, or general welfare,
- 4. Facilitate infrastructure,
- 5. Not have a negative effect on natural environment, and
- 6. Have a community need.

As a result it is the recommendation of the Ferris Planning and Zoning Commission that:

The Ferris City Council, by ordinance, **APPROVE** Planned Development 7.

or

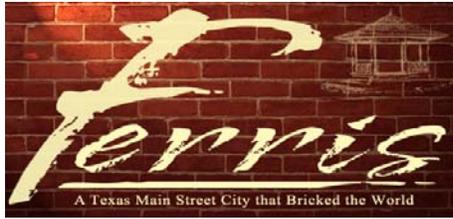
The Ferris City Council, by ordinance, approve Planned Development 7 with the following amendments:

or

The Ferris City Council **NOT** approve Planned Development 7.

Passed, by affirmative vote of the Planning and Zoning Commission of the City of Ferris the 23rd of June, 2016.

Jim Kay, Chairman
City of Ferris
Planning and Zoning Commission



City of Ferris

AGENDA ITEM REPORT

Meeting Date:	
Department:	Code Compliance
Submitted By:	W. Jordan
Previously Reviewed By:	
Item Type:	<input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action
Budgeted Expense:	<input type="checkbox"/> No <input type="checkbox"/> Yes, Amount: _____

Attachments:
Ordinance with Exhibits
Discussion / Justification:
The business located at 205 N Main St., Cajun Motors, is currently operating without a Certificate of Occupancy due to not being in the correct zoning. The applicant had worked with previous staff and the City Council when locating to Ferris, however, the zoning was inadvertently not corrected to allow for the business. Current staff has been working with the owner to change the zoning to allow the business to operate legally. The owner has re-platted the property which is a precursory requirement the zoning change. This change will be to a planned development and will allow for the business to continue as it currently does. It also restricts the use of the property to the specific use of electric motor rebuilding.
Recommendation / Staff Comments:
Staff recommends the P&Z Commission recommend this ordinance to City Council.
Motion(s):
I make a motion to recommend that the Ferris City Council approve Planned Development-8 by ordinance. I make a motion to recommend that the Ferris City Council approve Planned Development-8 by ordinance with the following amendments: _____. I make a motion to recommend that the Ferris City Council not approve Planned Development-8 by ordinance. I make a motion to table this item.

AN ORDINANCE OF THE CITY OF FERRIS, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FERRIS, TEXAS AMENDING THE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM COMMERCIAL CORRIDOR (“C-C”) TO PLANNED DEVELOPMENT - 8 (“PD-8”) ON PROPERTY LOCATED NORTH OF W. 4TH ST. AND WEST OF N. MAIN ST. DESCRIBED AS LOT 4R, BLOCK 4 OF THE ORIGINAL TOWN OF FERRIS ADDITION OF THE CITY OF FERRIS, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF USE RESTRICTIONS WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT B; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Ferris, Texas in compliance with the laws of the State of Texas and pursuant to the Zoning Ordinance of the City of Ferris, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Planned Development-8 should be approved, and in the exercise of legislative discretion have concluded that the Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FERRIS, TEXAS;

SECTION 1. That the Zoning Ordinance and Map of the City of Ferris, Texas, duly passed by the governing body of the City of Ferris, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Commercial Corridor (“C-C”) to Planned Development - 8 (“PD-8”) on property located North of W. 4th St. and West of N. Main St. described as Lot 4R, Block 4 of the Original Town of Ferris Addition of the City of Ferris, Ellis County, Texas, and being more particularly described in exhibit A, which is attached hereto and incorporated herein.

SECTION 2. The property shall be developed and used in accordance with the development standards under the Ferris Zoning Ordinance, ordinances of the City of Ferris, and development restrictions as established herein, which are attached hereto and incorporated herein as Exhibit B.

SECTION 3. That the development restrictions attached hereto as Exhibit B and made a part hereof for all purposes, are hereby approved.

SECTION 4. That the Zoning Ordinance of the City of Ferris, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Ferris, Texas and the Ferris Zoning Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such codes, in which event the conflicting provision of such ordinance and such codes are hereby repealed.

SECTION 6. It is hereby declared that it is the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 7. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8. All rights and remedies of the City of Ferris are expressly saved as to any and all violations of the provisions of any ordinances governing zoning or platting that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9. This ordinance shall be in full force and effect from this and after its passage and publication as required by law, and it is so ordained.

DULY PASSED and approved by the City Council of the City of Ferris, Texas on this the _____ day of _____, 2016.

APPROVED:

MICHEAL DRIGGARS, MAYOR

ATTEST:

CALLIE GREEN, CITY SECRETARY

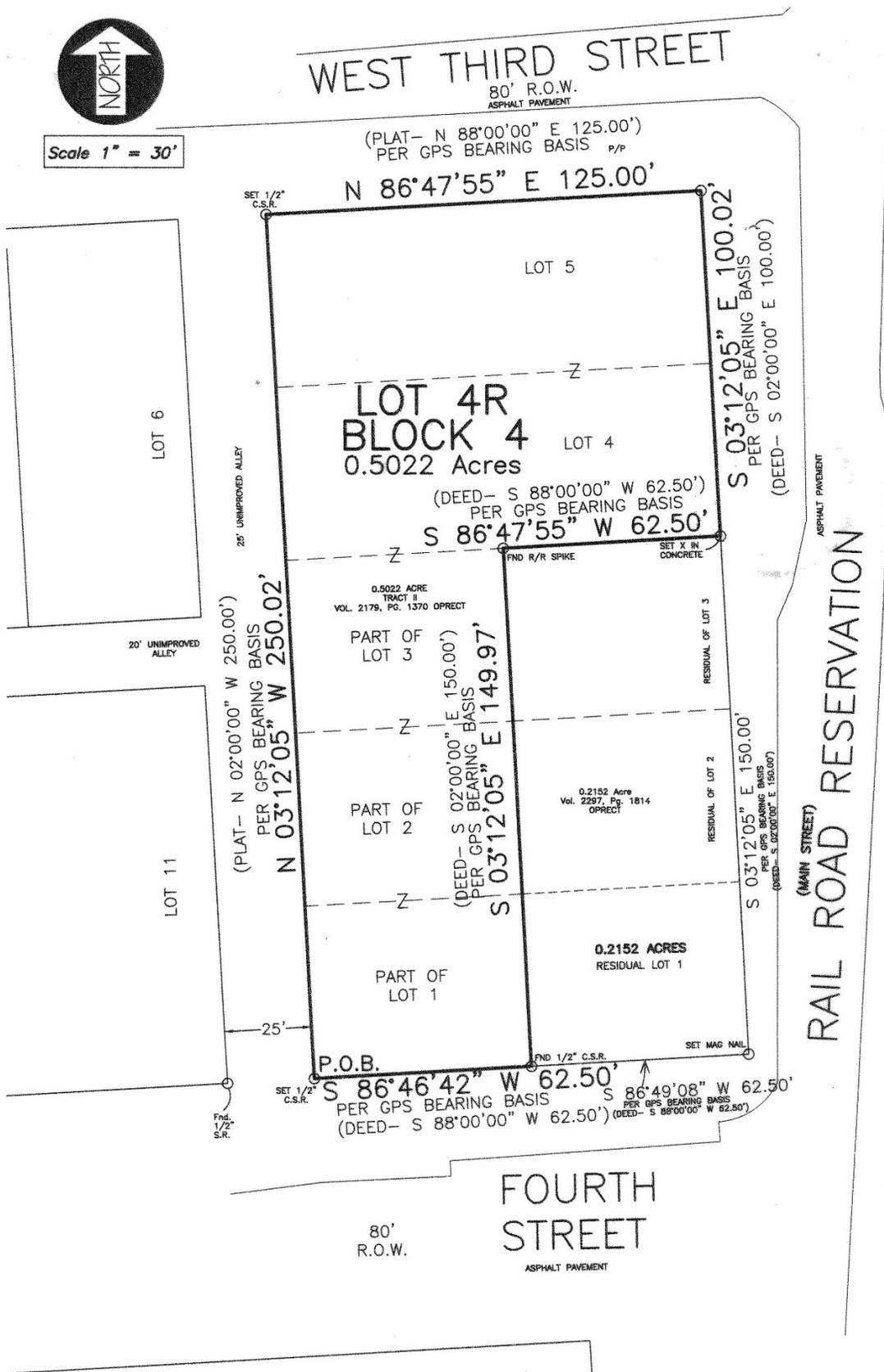
APPROVED AS TO FORM:

KENT HOFMEISTER, CITY ATTORNEY

EXHIBIT "A"



Scale 1" = 30'



Planned Development-8 Development Restrictions

Base Zoning

Where not amended by this document, The Ferris Zoning Ordinance shall apply to the property within Planned Development-8 (“PD-8”) as if such property were zoned Light Industrial and Warehousing District (“I-L”) within the Original Town Square Overlay District.

Allowed Uses

All uses are prohibited in Planned Development-8 (“PD-8”) except the following use as defined below:

ELECTRIC MOTOR REFURBISHING FACILITY (INDOORS) – A wholly enclosed facility for the purpose of refurbishing and rebuilding electric motors and electric motor components, and the incidental packaging and storage of electric motors and components, and office space necessary to support such operation.

Parking

1. Overnight parking of commercial vehicles is prohibited;
2. No vehicle may be parked at a loading dock on in such a manner that a portion of the vehicle or trailer blocks any paved portion of the street; and
3. Trucks may not be left idling.

Outside Storage

No outside storage is allowed.



PLANNING & ZONING COMMISSION

REPORT TO CITY COUNCIL

TO: Ferris City Council
FROM: Planning and Zoning Commission
RE: Planned Development – 8 (Cajun Motors)
DATE: June 23, 2016

This is the report required to be submitted by the Planning and Zoning Commission per Section 154.111(D) of the Ferris Code of Ordinances. This report also serves as the final report that is to be used by the Council in its consideration of the amendment as set forth in 154.111(D).

Background

Cajun Motors currently occupies the building located at 205 N. Main St. They purchased the property and subsequently moved in under information provided by the City that the location was appropriate for a machine shop related use. This information was incorrect. This zoning change will amend the zoning to a planned development to allow for Cajun Motors to operate at this location with restrictions.

Parcel Information

Current Use Machine Shop

Proposed Use Machine Shop

Adjacent property:

North: Vacant Warehouse

West: Single Family Homes

East: Soul's Harbor and Long Machine

South: Trinity Materials

Future Land Use Plan

Retail

Requested Action

Change the zoning to allow for an Electric Motor Refurbishing Facility (Indoors) with restrictions.

Public Notification

Published in the Waxahachie Daily Light June 3, 2016

Posted at City Hall and the City's website on June 17, 2016.

Recommendation

The Ferris Planning and Zoning Commission has carefully considered the above stated request based on the facts of the case and how such request would:

- 1. Be consistent with guiding documents,
- 2. Be compatible with the surrounding area,
- 3. Promote health, safety, or general welfare,
- 4. Facilitate infrastructure,
- 5. Not have a negative effect on natural environment, and
- 6. Have a community need.

As a result it is the recommendation of the Ferris Planning and Zoning Commission that:

The Ferris City Council, by ordinance, **APPROVE** Planned Development 8.

or

The Ferris City Council, by ordinance, approve Planned Development 8 with the following amendments:

or

The Ferris City Council **NOT** approve Planned Development 8.

Passed, by affirmative vote of the Planning and Zoning Commission of the City of Ferris the 23rd of June, 2016.

Jim Kay, Chairman
City of Ferris
Planning and Zoning Commission