



**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS MARCH 29, 2016 1:30 P.M.**

CONSENT AGENDA

- * Approval of minutes – March 15, 2016
- * Confirmation of committee appointments

Marie Broussard-Heritage Society would be appointed to the Historic Landmark Commission. The term would commence March 29, 2016 and expire March 28, 2018. (Mayor Becky Ames)

Carol Fernandez would be appointed to the Historic Landmark Commission. The term would commence March 29, 2016 and expire March 28, 2018. (Councilmember Gethrel Williams-Wright)

Jessie Davis-County Historian would be appointed to the Historic Landmark Commission. The term would commence March 29, 2016 and expire March 28, 2018. (Mayor Becky Ames)

Reagan Rothenberger would be appointed to the Historic Landmark Commission. The term would commence March 29, 2016 and expire March 28, 2018. (Councilmember Robin Mouton)

Virginia Jordan would be appointed to the Historic Landmark Commission. The term would commence March 29, 2016 and expire March 28, 2018. (Councilmember Mike Getz)

Greg Wall-Architect would be reappointed to the Construction Board of Appeals (Building). The current term would expire January 24, 2018. (Mayor Becky Ames)

Lee Acevedo-Electrician would be reappointed to the Construction Board of Appeals (Building). The current term would expire January 24, 2018. (Mayor Becky Ames)

Gene VanMeter-Electrician (Alternate) would be reappointed to the Construction Board of Appeals (Building). The current term would expire January 24, 2018. (Mayor Becky Ames)

Tom Neild-General Contractor (Alternate) would be reappointed to the Construction Board of Appeals (Building). The current term would expire January 24, 2018. (Mayor Becky Ames)

Judy Linsley-Historian would be reappointed to the Historic Landmark Commission. The current term would expire September 10, 2017. (Mayor Becky Ames)

Dohn LaBiche-Architect would be reappointed to the Historic Landmark Commission. The current term would expire October 29, 2017. (Mayor Becky Ames)

Jason Cansler-Attorney would be reappointed to the Historic Landmark Commission. The current term would expire February 10, 2018. (Mayor Becky Ames)

B. Eliot New would be reappointed to the Historic Landmark Commission. The current term would expire September 5, 2017. (Councilmember Claude Guidroz)

Thomas Sigee would be reappointed to the Historic Landmark Commission. The current term would expire December 5, 2017. (Councilmember Audwin Samuel)

- A) Approve a resolution awarding a contract to Frazier, Ltd., of Houston for refurbishing and remounting one ambulance body
- B) Authorize the settlement of the lawsuit styled Kelly Wheaton vs. The City of Beaumont and Joseph Edward Stuart; Cause No. 128080
- C) Approve a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in Fairfield Phase IV, Subdivision

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BEAUMONT:

THAT the following appointments be made:

<u>Appointment</u>	<u>Commission</u>	<u>Beginning of Term</u>	<u>Expiration of Term</u>
Marie Broussard-Heritage Society	Historic Landmark Commission	03/29/2016	03/28/2018
Carol Fernandez	Historic Landmark Commission	03/29/2016	03/28/2018
Jessie Davis-County Historian	Historic Landmark Commission	03/29/2016	03/28/2018
Reagan Rothenberger	Historic Landmark Commission	03/29/2016	03/28/2018
Virginia Jordan	Historic Landmark Commission	03/29/2016	03/28/2018

THAT the following reappointments be made:

<u>Reappointment</u>	<u>Commission</u>	<u>Beginning of Term</u>	<u>Expiration of Term</u>
Greg Wall-Architect	Building Board of Appeals	03/29/2016	01/24/2018
Lee Acevedo-Electrician	Building Board of Appeals	03/29/2016	01/24/2018
Gene VanMeter-Electrician	Building Board of Appeals	03/29/2016	01/24/2018
Tom Neild-General Contractor	Building Board of Appeals	03/29/2016	01/24/2018
Judy Linsley-Historian	Historic Landmark Commission	03/29/2016	09/10/2017
Dohn LaBiche-Architect	Historic Landmark Commission	03/29/2016	10/29/2017
Jason Cansler-Attorney	Historic Landmark Commission	03/29/2016	02/10/2018
B. Eliot New	Historic Landmark Commission	03/29/2016	09/05/2017
Thomas Sigee	Historic Landmark Commission	03/29/2016	12/05/2017

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of
March, 2016.

- Mayor Becky Ames -

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Laura Clark, Chief Financial Officer 

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider a resolution approving the award of a contract for refurbishing and remounting one (1) ambulance body to Frazier, Ltd., of Houston, Texas in the estimated amount of \$63,800.

BACKGROUND

Beaumont EMS operates ambulances consisting of a body or box module mounted on a heavy-duty pickup chassis. Ambulance bodies, when periodically refurbished, have a longer service life than the chassis on which they are mounted. Refurbishment is less costly than purchasing a new body each time the chassis needs to be replaced. Refurbishment of bodies and replacement of chassis are requested through the City's budget process. The Fleet Manager evaluated the request and recommended refurbishment and replacement due to the age and mileage of the unit.

Unit to be refurbished and remounted is 7145, having 114,009 miles, purchased in 2008.

Pricing was obtained through the Houston-Galveston Area Council (H-GAC), a cooperative purchasing association providing cities and political subdivisions with the means to purchase specialized equipment at volume pricing. H-GAC complies with State of Texas procurement statutes.

FUNDING SOURCE

Capital Reserve Fund.

RECOMMENDATION

Approval of the resolution.



February 25, 2016

Jeff Harville
 Fleet Manager
 City of Beaumont EMS
 E-mail: jharville@ci.beaumont.tx.us

Quote # 10204B

Mr. Harville,

Per your request we are quoting remounting and refurbishing your Frazer Type I 12' Generator Powered Module, (E-891/X-606) current medic #7145 , onto your 2016 Ford F-350 6.7L diesel chassis. For your convenience all pricing has been itemized below.

Frazer Type I 12' Generator Powered Module (E-891/X-606)	
2016 Ford F-350 6.7L diesel chassis - (white) Customer Provided	
Heat shielding for diesel chassis	\$ 1,500.00
Remount of Module (see Incl. Items below)	\$ 15,000.00
Chassis Exterior Upgrades	\$ 800.00
Chassis Interior Upgrades	\$ 2,950.00
Module Exterior Upgrades	\$ 25,950.00
Module Interior Upgrades	\$ 17,000.00
HGAC fee	\$ 600.00
Total	\$ 63,800.00

Items included in above total:

Chassis Exterior Upgrades:

1 . Items included in remount fee:

- | | | |
|--|----|-------|
| a) Ranch Hand powder coated grille guard | \$ | incl. |
| b) (2) Whelen M4 grille lights w/ clear lenses
<i>Layout: red, red</i> | \$ | incl. |
| c) (2) Whelen M4 intersects w/ clear lenses
<i>Layout: red, red</i> | \$ | incl. |
| (2) Federal Signal AS124 speakers
<i>Wire one speaker to code 3 siren and one speaker to Whelen SA1 siren in console.</i> | \$ | incl. |
| d) Frazer aluminum rear window pass through plate | \$ | incl. |
| e) (2) New 125A & 150A Mega fuses with new wiring | \$ | incl. |
| f) Stripe new chassis to match module | \$ | incl. |
| g) New mounting rubber | \$ | incl. |
- see print 508.1*

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE

CITY OF BEAUMONT:

THAT the City Council hereby approves the award of a contract for outfitting, refurbishing and remounting one (1) ambulance box module to a new chassis to Frazier, Ltd., of Bellaire, Texas, in the amount of \$63,800 through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of March, 2016.

- Mayor Becky Ames -



TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Tyrone E. Cooper, City Attorney

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider a resolution authorizing the settlement of the lawsuit styled Kelly Wheaton vs. The City of Beaumont and Joseph Edward Stuart; Cause No. 128080.

BACKGROUND

The lawsuit styled Kelly Wheaton vs. The City of Beaumont ant Joseph Edward Stuart; Cause No. 128080, was presented and discussed in Executive Session held on March 15, 2016. The City Attorney is requesting authority to settle this suit in the amount of \$42,538.67.

FUNDING SOURCE

General Liability Fund.

RECOMMENDATION

Approval of resolution.

RESOLUTION NO.

WHEREAS, the lawsuit styled Kelly Wheaton vs. The City of Beaumont and Joseph Edward Stuart, Cause No. 128080, was discussed in Executive Session properly called and held Tuesday, March 15, 2016; and,

WHEREAS, the City Attorney is requesting authority to settle this lawsuit;

NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the City Attorney be, and he is hereby, authorized to settle the lawsuit styled Kelly Wheaton vs. The City of Beaumont and Joseph Edward Stuart, Cause No. 128080 for the sum of Forty-Two Thousand Five Hundred Thirty-Eight and 67/100 Dollars (\$42,538.67); and,

BE IT FURTHER RESOLVED THAT the City Manager be and he is hereby authorized to execute all documents related to settlement of the lawsuit.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of March, 2016.

- Mayor Becky Ames -



TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Dr. Joseph Majdalani, P.E., Public Works Director *JM*

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in Fairfield Phase IV, Subdivision.

BACKGROUND

On March 15, 2016, a final inspection from all entities was completed and the administration recommends approval of the following:

- Abbey Lane approximately 660 feet addition south of existing Claybourn Drive.

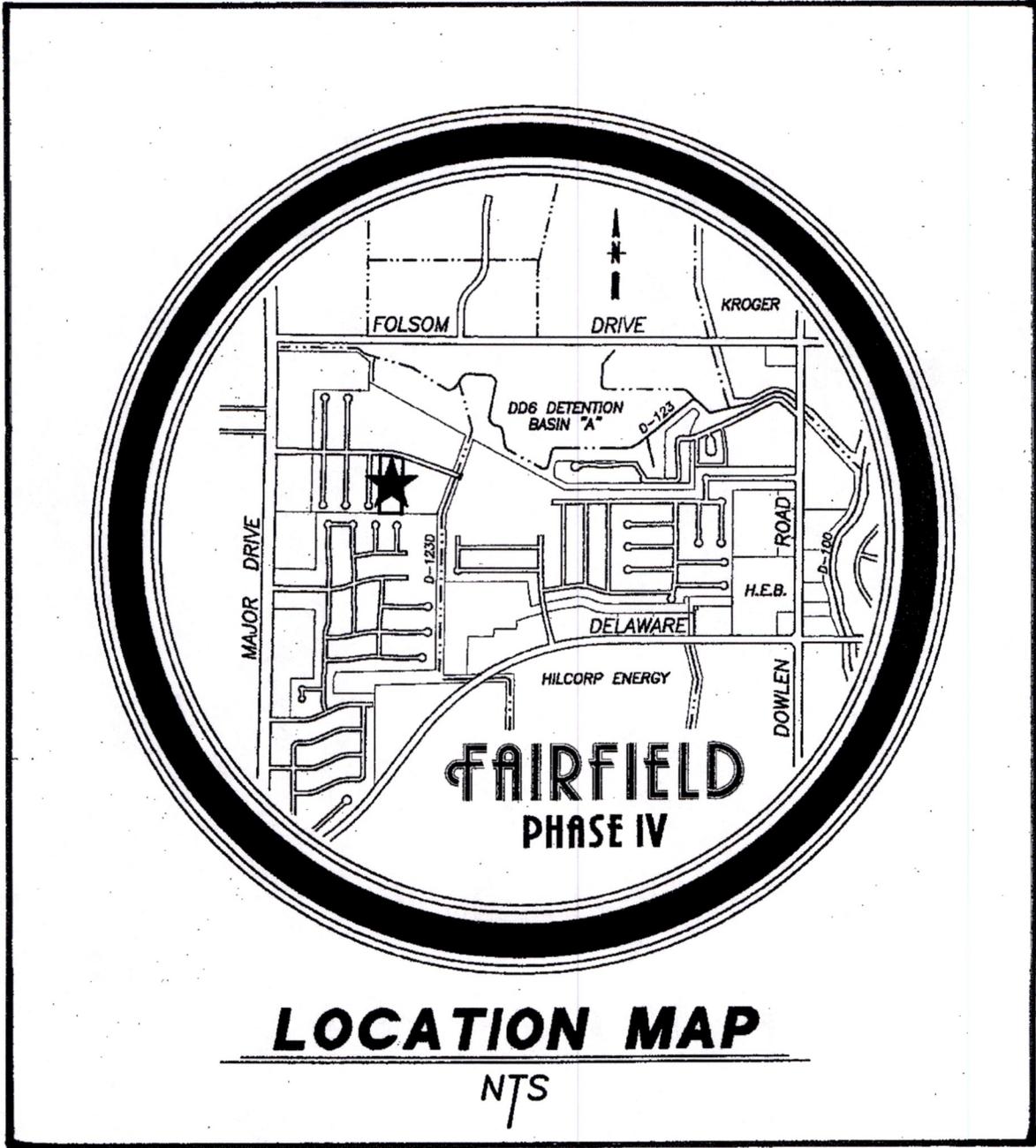
Recommended for approval are the storm sewer, water and sanitary sewer improvements for Fairfield Phase IV, Subdivision right-of-way only.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of resolution.



**FAIRFIELD PHASE IV
SUBDIVISION**

RESOLUTION NO.

WHEREAS, construction of the street, storm sewer, water and sanitary sewer improvements constructed in Fairfield Phase IV Subdivision have been completed as follows:

Street

- Abbey Lane approximately 660 feet addition south of existing Claybourn Drive.

Storm Sewer, Water and Sanitary Sewer Improvements

- Fairfield Phase IV Subdivision, right-of-way only.

; and,

WHEREAS, the developers of said street desire to have these improvements accepted and maintained by the City; and,

WHEREAS, the director of the Public Works and Engineering Department has determined that said improvements meet city standards and qualify for acceptance for permanent maintenance, and the City Council is of the opinion that said improvements should be accepted and maintained by the City of Beaumont;

NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the above-referenced street, storm sewer, water and sanitary sewer improvements in Fairfield Phase IV Subdivision, with the exception of streetlights, are hereby accepted by the City of Beaumont and shall be continuously maintained by the City contingent upon filing of the final plat, complete with filings of dedication of all

rights-of-way and easements required on the preliminary and final plats and installation of the streetlights.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of March, 2016.

- Mayor Becky Ames -



**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS MARCH 29, 2016 1:30 P.M.**

AGENDA

CALL TO ORDER

- * Invocation Pledge Roll Call
- * Presentations and Recognition
- * Public Comment: Persons may speak on scheduled agenda item No. 5/Consent Agenda
- * Consent Agenda

GENERAL BUSINESS

1. Consider a request for a Specific Use Permit to allow a mini storage facility in GC-MD (General Commercial-Multiple Family Dwelling District), at 6150 Delaware Street
2. Consider a request for a Specific Use Permit to allow a real estate, property management office in RCR-H (Residential Conservation Revitalization-Historic District) at 2595 Liberty Avenue
3. Consider a request for a Specific Use Permit to allow a cell tower in GC-MD (General Commercial-Multiple Family Dwelling District), just west of 1878 Washington Boulevard
4. Consider a request to abandon a portion of a 20' waterline easement to widen the Major Drive right-of-way and roadway
5. Consider amending Chapter 6 of the Business Regulations Ordinance; specifically Section 6.03.034-Alcoholic Beverage

COMMENTS

- * Councilmembers/City Manager comment on various matters
- * Public Comment (Persons are limited to 3 minutes)

EXECUTIVE SESSION

- * Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

United States of America vs. City of Beaumont, Texas; Civil Action No.
1:15CV201

- * Consider matters related to the deliberation of the purchase, exchange, lease or value of real property in accordance with Section 551.072 of the Government Code, to wit:

Beaumont Yacht Club located at 560 Marina Drive, Beaumont, TX 77703

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Mitchell Normand at 880-3777 three days prior to the meeting.

March 29, 2016

Consider a request for a Specific Use Permit to allow a mini storage facility in GC-MD (General Commercial-Multiple Family Dwelling District), at 6150 Delaware Street



TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: ^{CSB} Chris Boone, Planning & Community Development Director

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider a request for a Specific Use Permit to allow a mini storage facility in GC-MD (General Commercial-Multiple Family Dwelling District), at 6150 Delaware Street.

BACKGROUND

Zachary Rowe of Mark W. Whiteley and Associates has designed and submitted a Mini Storage Facility that the property owner, Mr. Sam Parigi, Jr., would like to construct at 6160 Delaware Street. This development will consist of a three (3) story building. Mr. Parigi does not want the structure to resemble a warehouse and has asked the architect to incorporate materials that will have a more aesthetic appeal, especially for the neighbors to the north. All lighting will be directional so as to not disturb neighboring properties. In addition, a 120 foot wide ditch separates the property from the residential lots to the north.

At a Joint Public Hearing held on March 21, 2016, the Planning Commission recommended 8:0 to approve a Specific Use to allow a mini storage facility in the GC-MD (General Commercial-Multiple Family Dwelling District), at 6160 Delaware Street with the following condition:

1. Submit storm drainage discharge design on construction drawings.

FUNDING SOURCE

Not applicable.

RECOMMENDATIONS

Approval of the ordinance subject to the following condition:

1. Submit storm drainage discharge design on construction drawings.

**SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS**

(Chapter 28, City Codes)

TO: THE PLANNING COMMISSION AND CITY COUNCIL, CITY OF BEAUMONT, TEXAS

APPLICANT'S NAME: Zachary Rowe

APPLICANT'S ADDRESS: 3250 Eastex Freeway, Beaumont, Texas 77703

APPLICANT'S PHONE #: (409) 892-0421 FAX #: (409) 892-1346

NAME OF OWNER: Sam C. Parigi, Jr.

ADDRESS OF OWNER: 445 North 14 Street, Beaumont, Texas 77702

LOCATION OF PROPERTY: 6160 Delaware Street

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. _____ OR TRACT A 2.1599 Acre Tract

BLOCK NO. _____ PLAT _____

ADDITION _____ SURVEY Hezekiah Williams, Abstract No. 56

NUMBER OF ACRES _____ NUMBER OF ACRES 2.1599 Acres

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

PROPOSED USE: Mini Storage Facility ZONE: GC-MD

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the top back side of this sheet.

ATTACH A REDUCED 8 1/2" X 11" PHOTOCOPY OF THE SITE PLAN.

THE EIGHT CONDITIONS listed on the back side of this sheet must be met before City Council can grant a specific use permit. **PLEASE ADDRESS EACH CONDITION IN DETAIL.**

ATTACH THE APPROPRIATE APPLICATION FEE:

LESS THAN 1/2 ACRE.....	\$250.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES.....	\$450.00
5 ACRES OR MORE.....	\$650.00

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by City Council.

SIGNATURE OF APPLICANT: *Zachary Rowe* DATE: 2-26-16

SIGNATURE OF OWNER: *Sam C. Parigi, Jr.* DATE: 2-26-16

PLEASE TYPE OR PRINT AND SUBMIT TO:

CITY OF BEAUMONT
PLANNING DIVISION
801 MAIN STREET, ROOM 201
BEAUMONT, TX 77701

FILE NUMBER: _____

DATE RECEIVED: _____

Phone - (409) 880-3764
Fax - (409) 880-3133

PLEASE MAKE NOTE ON REVERSE SIDE OF CONDITIONS TO BE MET REGARDING THE SITE PLAN AND LETTER OF PROPOSED USES AND ACTIVITIES.

Mini Storage
6160 Delaware Street
Beaumont, Texas 77706

25 February 2016

City of Beaumont
Planning Division
801 Main Street, Room 201
Beaumont, Texas 77701

ATTN.: Chris Boone
Director of Planning and Community Development

REF.: Specific Use Permit
6160 Delaware Street

Dear Mr. Boone:

Please find attached the Specific Use Permit Application along with a site plan and the fee for the above referenced tract.

We propose to construct a 3 story Mini Storage facility at the above listed address. The following comments address the eight conditions as required by the City's Specific Use Permit:

- The proposed Mini Storage Facility will enhance the locale and not be injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity. Appropriate architectural measures will be taken to ensure aesthetic compatibility with nearby structures as well as to avoid being a nuisance to the residential subdivision to the North.
- The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property, as this is the last remaining vacant lot along the North side of Delaware Street in the nearby vicinity.
- There are existing and adequate utilities, access roads, drainage and other necessary supporting facilities currently present at the site. The site fronts Delaware Street, which has water, sewer, gas and communications within the Right of Way. The site is also bordered on the rear by a Jefferson County Drainage District No. 6 canal, which will be utilized for receiving storm water runoff.

- As shown on the attached site plan, the design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development. A shared driveway with the previously approved Goodwill store to the West will be utilized for site access. A 26' firelane will be provided around the entirety of the proposed structure, and two canopies will be installed for loading zones leading into the building. Expected daily traffic to the proposed development is low and should result in minimal impact to the immediate vicinity.
- There will be no offensive odor, fumes, dust, noise or vibration caused by the proposed use of this site as a Mini Storage.
- All proposed onsite lighting will be direct in nature so as not to disturb or adversely affect neighboring properties. Appropriate measures will be taken to mitigate adverse effects on the nearby properties.
- Landscaping and screening will be provided in accordance with the appropriate City requirements to ensure harmony and compatibility with the adjacent properties.
- The proposed use is in accordance with the Comprehensive Plan and will assist in further developing the West End of Beaumont.

If you have any questions or need additional information please contact me at (409)-892-0421.

Sincerely,



Zachary Rowe
Engineer Assistant
Mark W. Whiteley and Associates, Inc.
Applicant

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A MINI STORAGE FACILITY IN A GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT AT 6150 DELAWARE STREET IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Zachary Rowe, on behalf of Sam Parigi, Jr., has applied for a specific use permit to allow a mini storage facility in a GC-MD (General Commercial-Multiple Family Dwelling) District, at 6150 Delaware Street, as described in Exhibit "A" and shown on Exhibit "B," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow a mini storage facility in a GC-MD (General Commercial-Multiple Family Dwelling) District at 6150 Delaware Street, subject to the following condition:

- Submit storm drainage discharge design on construction drawings

; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a mini storage facility in a GC-MD (General Commercial-Multiple Family Dwelling) District at 6150 Delaware Street as described in

Exhibit "A" and shown on Exhibit "B," is hereby granted to Sam Parigi, Jr., his legal representatives, successors and assigns, as shown on Exhibit "C," attached hereto and made a part hereof for all purposes, subject to the following condition:

- Submit storm drainage discharge design on construction drawings.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "C" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of March, 2016.

- Mayor Becky Ames -

LEGAL DESCRIPTION FOR ORDINANCE PURPOSES

BEING a 2.1599 acre tract or parcel of land situated in the Hezekiah Williams Survey, Abstract No. 56, Jefferson County, Texas and being out of and part of that certain called 680.66 acre tract called "Second Tract" as conveyed by Treadaway Land Company et al. to Yount-Lee Oil Company as recorded in Volume 374, Page 113, Deed Records, Jefferson County, Texas and also being out of and part of that certain remainder of a called 40.5391 acre tract of land as conveyed by Amoco Production Company to Dowdel Investments, Ltd. as recorded in Clerk's File No. 1999047799, Official Public Records of Real Property, Jefferson County, Texas, said 2.1599 acre tract being more particularly described as follows:

NOTE: All bearings are based on the West line of Lot 1, Block 1 of HEB Grocery Addition as NORTH 01°23'48" WEST as recorded in Clerk's File No. 2006015377, Official Public Records of Real Property, Jefferson County, Texas. All set 5/8" iron rods set with caps stamped "M.W. Whiteley & Associates".

COMMENCING at a 5/8" iron rod found for the Southeast corner of that certain called 0.9601 acre tract of land as described in a "Special Warranty Deed with Vendor's Lien" from Dowdel Investments, Ltd. to CBH Properties Beaumont, LLC. as recorded under Clerk's File No. 2015016749, Official Public Records of Real Property, Jefferson County, Texas and being the Southwest corner of Lot 1, Block 1 of HEB Grocery Addition, an addition of the City of Beaumont, Jefferson County, Texas, according to the map or plat thereof, recorded under Clerk's File No. 2006015377, Official Public Records of Real Property, Jefferson County, Texas, and also being in the North right-of-way line of Delaware Street;

THENCE SOUTH 88°52'27" WEST, along and with the North right-of-way line of Delaware Street, for a distance of 110.00 feet to a 5/8" iron rod with cap stamped "M. W. Whiteley and Associates" found for the Southwest corner of said 0.9601 acre CBH Properties Beaumont, LLC tract, and the **POINT OF BEGINNING** of the tract herein described;

THENCE SOUTH 88°52'27" WEST, continuing along and with the North right-of-way line of Delaware Street, for a distance of 264.85 feet to a 5/8" iron rod set for corner, said corner being the Southwest corner of the tract herein described and the Southeast corner of a proposed 1.4354 acre tract of land;

THENCE NORTH 01°24'16" WEST, over and across the remainder of said 40.5391 acre Dowdel Investments, Ltd. tract and along and with the Easterly boundary line of the proposed 1.4354 acre tract of land, for a distance of 202.13 feet to a 5/8" iron rod set for corner;

THENCE NORTH 88°52'27" EAST, continuing over and across the remainder of said 40.5391 acre Dowdel Investments, Ltd. tract and along and with the Easterly boundary line of the proposed 1.4354 acre tract of land, for a distance of 37.00 feet to a 5/8" iron rod set for corner;

THENCE NORTH 01°24'16" WEST, continuing over and across the remainder of said 40.5391 acre Dowdel Investments, Ltd. tract and along and with the Easterly boundary line of the proposed 1.4354 acre tract of land, for a distance of 177.83 feet to a 5/8" iron rod set for corner, said corner being in the South line of the remainder of that certain called 2.727 acre tract of land

as described in a "Drainage Easement" from Amoco Production Company to Jefferson County Drainage District No. 6 as recorded under Clerk's File No. 1999047796, Official Public Records of Real Property, Jefferson County, Texas;

THENCE NORTH 88°49'09" EAST, along and with the boundary between the remainder of said 40.5391 acre Dowdel Investments, Ltd. tract and the remainder of said 2.727 acre Jefferson County Drainage District No. 6 easement, for a distance of 227.90 feet to a 5/8" iron rod with stamped "M.W. Whiteley & Associates" found for corner, said corner being the Northwest corner of said 0.9601 acre CBH Properties Beaumont, LLC tract and the Northeast corner of the remainder of said 40.5391 acre Dowdel Investments, Ltd. tract;

THENCE SOUTH 01°23'48" EAST, along and with the boundary between the remainder of said 40.5391 acre Dowdel Investments, Ltd. tract and said 0.9601 acre CBH Properties Beaumont, LLC tract, for a distance of 380.19 feet to the **POINT OF BEGINNING** and containing 2.1599 Acres, more or less.

File 2257-P: Consider a request for a Specific Use Permit to allow a mini storage facility in GC-MD (General Commercial-Multiple Family Dwelling District) zoning.

Applicant: Zachery Rowe-Mark W. Whiteley and Associates, Inc.

Location: 6160 Delaware Street

N

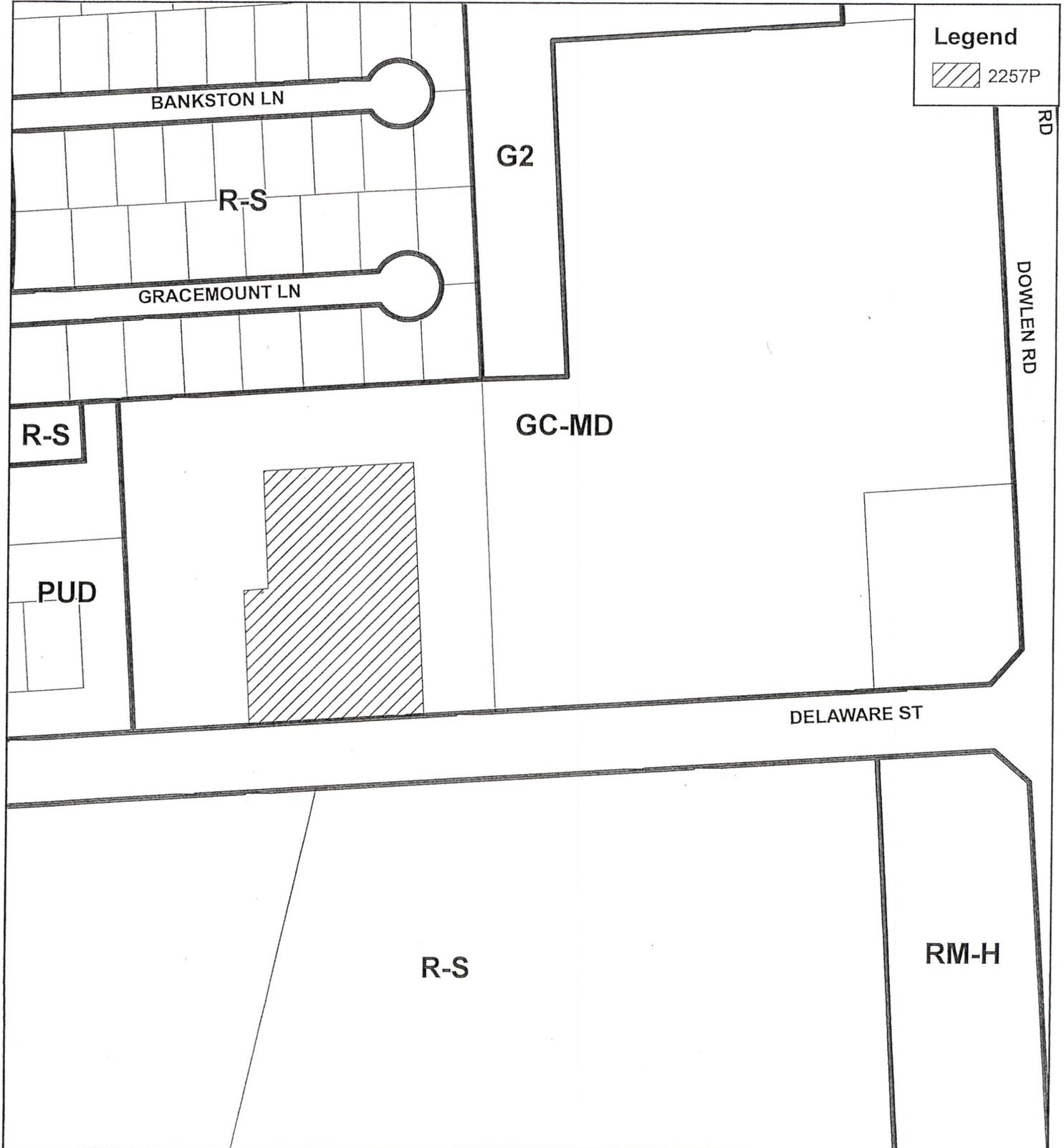
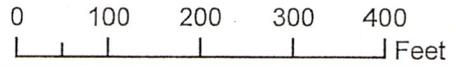
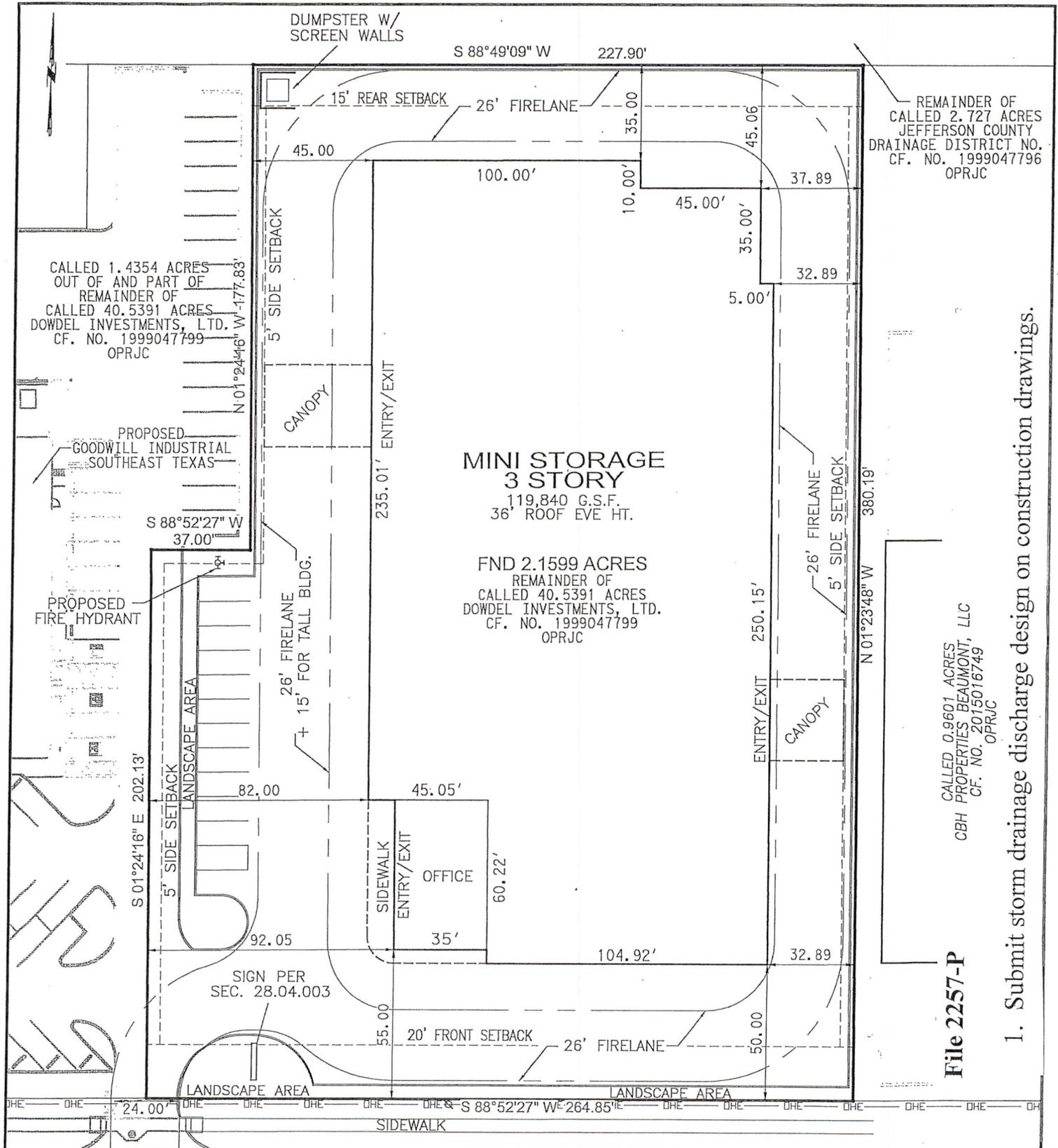


EXHIBIT "B"



REMAINDER OF
CALLED 2.727 ACRES
JEFFERSON COUNTY
DRAINAGE DISTRICT NO.
CF. NO. 1999047796
OPRJC

CALLED 1.4354 ACRES
OUT OF AND PART OF
REMAINDER OF
CALLED 40.5391 ACRES
DOWDEL INVESTMENTS, LTD.
CF. NO. 1999047799
OPRJC

MINI STORAGE
3 STORY
119,840 G.S.F.
36' ROOF EVE HT.

FND 2.1599 ACRES
REMAINDER OF
CALLED 40.5391 ACRES
DOWDEL INVESTMENTS, LTD.
CF. NO. 1999047799
OPRJC

CALLLED 0.9601 ACRES
CBH PROPERTIES BEAUMONT, LLC
CF. NO. 2015016749
OPRJC

File 2257-P

1. Submit storm drainage discharge design on construction drawings.

DELAWARE STREET
(100' R.O.W.)

CLIENT: DOWDEL INVESTMENTS, LTD.		
DR BY: ZTR	SCALE: 1" = 50'	SHEET No.: 1 of 2
VER: ACAD 2016	FILE: W:\2016\16-242	REV: 1
JOB NO. 16-242	16-242_SUP Sketch.DWG	

**MARK W. WHITELEY
AND ASSOCIATES
INCORPORATED**
CONSULTING ENGINEERS,
SURVEYORS, AND PLANNERS
T.B.P.L.S. FIRM NO. 10106700
T.B.P.E. FIRM NO. F-2633



3250 EASTTEX FRWY.
AUMONT, TEXAS 77703
FAX) 409-892-1348

**PROPOSED MINI STORAGE
SITE PLAN**
6160 DELAWARE STREET
BEAUMONT, TEXAS
2.1599 ACRE TRACT
OUT OF
HEZEKIAH WILLIAMS
ABSTRACT NO. 56
BEAUMONT, JEFFERSON COUNTY, TEXAS

EXHIBIT "C"

March 29, 2016

Consider a request for a Specific Use Permit to allow a real estate, property management office in RCR-H (Residential Conservation Revitalization-Historic District) at 2595 Liberty Avenue

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Planning & Community Development Director

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider a request for a Specific Use Permit to allow a real estate, property management office in RCR-H (Residential Conservation Revitalization-Historic District) at 2595 Liberty Avenue.

BACKGROUND

Toni Sigee is requesting to use the building located at 2595 Liberty Avenue as her property management office. The proposed office hours will be Monday-Saturday 10am-7pm. Ms. Sigee also owns and operates a food truck, which she hopes to open at this location, on occasion. Due to her work schedule, the days she opens would vary, about 10 days per month. When the truck is open for business, the hours of operation would also be 10am-7pm. The truck operates on a gasoline powered generator.

The building in question is commercial and as such, the office use would be compatible with the surrounding uses. However, a food truck, in this close proximity to residential uses would not be appropriate.

At a Joint Public Hearing held on March 21, 2016, the Planning Commission recommended 8:0 to approve a Specific Use to allow a real estate, property management office in RCR-H (Residential Conservation Revitalization-Historic District), and deny the food truck at 2595 Liberty Avenue.

FUNDING SOURCE

Not applicable.

RECOMMENDATIONS

Approval of the real estate, property management office and denial of the food truck.

**SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS**

(Chapter 28, City Codes)

TO: THE PLANNING COMMISSION AND CITY COUNCIL, CITY OF BEAUMONT, TEXAS

APPLICANT'S NAME: Toni L. Sigee

APPLICANT'S ADDRESS: 4618 Aspen Ln. Pt. Arthur, Texas 77642

APPLICANT'S PHONE #: 409-466-4109 FAX #: _____

NAME OF OWNER: Toni L. Sigee

ADDRESS OF OWNER: 4618 Aspen Ln. Pt. Arthur, Texas 77642

LOCATION OF PROPERTY: 290 N. 104th Street + 260 N. 104th Street Bmt. TX
2596 LIBERTY AVE

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. 13 THE WEST 33.24' OF OR TRACT _____

BLOCK NO. 47 PLAT _____

ADDITION Averill SURVEY _____

NUMBER OF ACRES 0.0887 NUMBER OF ACRES _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

PROPOSED USE: General Office REAL ESTATE / ZONE: RCR-H
PROPERTY MANAGEMENT, FOOD TRUCK

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the top back side of this sheet.

ATTACH A REDUCED 8 1/2" X 11" PHOTOCOPY OF THE SITE PLAN.

THE EIGHT CONDITIONS listed on the back side of this sheet must be met before City Council can grant a specific use permit. **PLEASE ADDRESS EACH CONDITION IN DETAIL.**

ATTACH THE APPROPRIATE APPLICATION FEE:

LESS THAN 1/2 ACRE.....	\$250.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES.....	\$450.00
5 ACRES OR MORE.....	\$650.00

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by City Council.

SIGNATURE OF APPLICANT: Toni L. Sigee DATE: 2-19-16

SIGNATURE OF OWNER: Toni L. Sigee (IF NOT APPLICANT) DATE: 2-19-16

PLEASE TYPE OR PRINT AND SUBMIT TO: CITY OF BEAUMONT
PLANNING DIVISION
801 MAIN STREET, ROOM 201
BEAUMONT, TX 77701

FILE NUMBER: _____

DATE RECEIVED: _____ Phone - (409) 880-3764
Fax - (409) 880-3133

PLEASE MAKE NOTE ON REVERSE SIDE OF CONDITIONS TO BE MET REGARDING THE SITE PLAN AND LETTER OF PROPOSED USES AND ACTIVITIES.

SECTION 28.04.001.

Toni Sigee
290 N. 10th Street
Beaumont, Texas 77710

Toni Sigee is requesting a conditional use permit to operate a general office from the above address which is already deemed commercial property but is not zoned as needed. Property Use Description: "REAL, COMM (HOTEL/STORE/OFFC)". Legal Description: AVERILL LT 13 TR 2 NW 33.39' X 54.9' B47.

1. Using this building as a general office is compatible with the surrounding residential and commercial area and will not be injurious to the use and enjoyment of other property, nor diminish or impair property values within the immediate vicinity. I believe a general office will be well suited and in harmony with the immediate residential and commercial area. A general office in this area will not cause harm to the residential area in any way. A general office in this area will not decrease/reduce or have a negative effect on the property value in this residential area.
2. The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property. This building has been in existence since 1968. A general office will not delay, prevent or hinder the normal and orderly development or improvement of surrounding vacant property. As I walked the immediate area, I noticed all the areas are developed. I believe that the remodeling of this building will only aid in beautifying the area. The repairs will be contained inside of the building with the exception of painting the outside of the building. The building will consist of desks, chairs with 4 parking spaces with one being a handicap.
3. The building has adequate utilities, access roads, drainage and other necessary supporting facilities have been provided. The general office will be in an existing building and will be remodeled to fit a specific use of the building. The access roads, drainage and other necessary supporting facilities have existed since 1968. This is not a new construction. The property is served by an existing storm water collection system. The property is served by municipal water and wastewater.
4. The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development. The parking lot has 4 parking asphalt spaces in which cars can turn off North 10th Street into the parking lot without any problems. Parking and vehicle driveway will be located away from the building entrances and street corners and not between a building entrance and the street. North 10th Street is not a busy street so it will allow cars to exit the parking lot without problems. There is a sidewalk provided for the pedestrians to help ensure their safety. The parking lot has been there since 1968; therefore the parking lot of the general office will not affect the general public or neighboring properties. All parking will be in the rear of the building.
5. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration. The proposed use will not generate any offensive odor, fumes, dust, noise, or vibrations that will be a nuisance to neighboring properties.

6. Directional lighting will be provided so as not to disturb or adversely affect neighboring properties. There is a street light on the back of the building so that the parking lot isn't completely dark. There is a light at each entrance of the building. I don't believe the directional lightening provided will adversely affect neighboring properties.
7. There are some landscaping and screening to insure harmony and compatibility with adjacent property. The building consists of shrubs on two sides of the building.
8. To the best of my knowledge, the proposed use is in accordance with the Comprehensive Plan.

NOTE: Please allow a waiver for any landscaping and screening requirements.

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A REAL ESTATE PROPERTY MANAGEMENT OFFICE AND DENYING A FOOD TRUCK OPERATION IN AN RCR-H (RESIDENTIAL CONSERVATION REVITALIZATION-HISTORIC) DISTRICT AT 2595 LIBERTY AVENUE IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Toni Sigee has applied for a specific use permit to allow a real estate property management office and a food truck operation in an RCR-H (Residential Conservation Revitalization-Historic) District, at 2595 Liberty Avenue, being the west 33.39' of Lot 13, Block 47, Averill Addition, Beaumont, Jefferson County, Texas, containing 0.088 acres, more or less as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow a real estate property management office and denying approval of a specific use permit to allow a food truck operation in an RCR-H (Residential Conservation Revitalization-Historic) District at 2595 Liberty Avenue; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit for a real estate property management office and denying issuance of such specific use permit for the operation of a food truck is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a real estate property management office in an RCR-H (Residential Conservation Revitalization-Historic) District at 2595 Liberty Avenue as shown on Exhibit "A," is hereby granted to Toni Sigee, her legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes.

Section 2.

That a specific use permit to allow the operation of a food truck in an RCR-H (Residential Conservation Revitalization-Historic) District at 2595 Liberty Avenue as shown on Exhibit "A," is hereby denied to Toni Sigee, her legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes.

Section 3.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 4.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of
March, 2016.

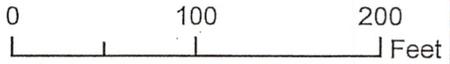
- Mayor Becky Ames -

File 2256-P: Consider a request for a Specific Use Permit to allow a real estate, property management office and food truck in RCR-H (Residential Conservation Revitalization-Historic District) zoning.

Applicant: Toni L. Sigeo

Location: 260/290 N. 10th Street & 2596 Liberty Avenue

N

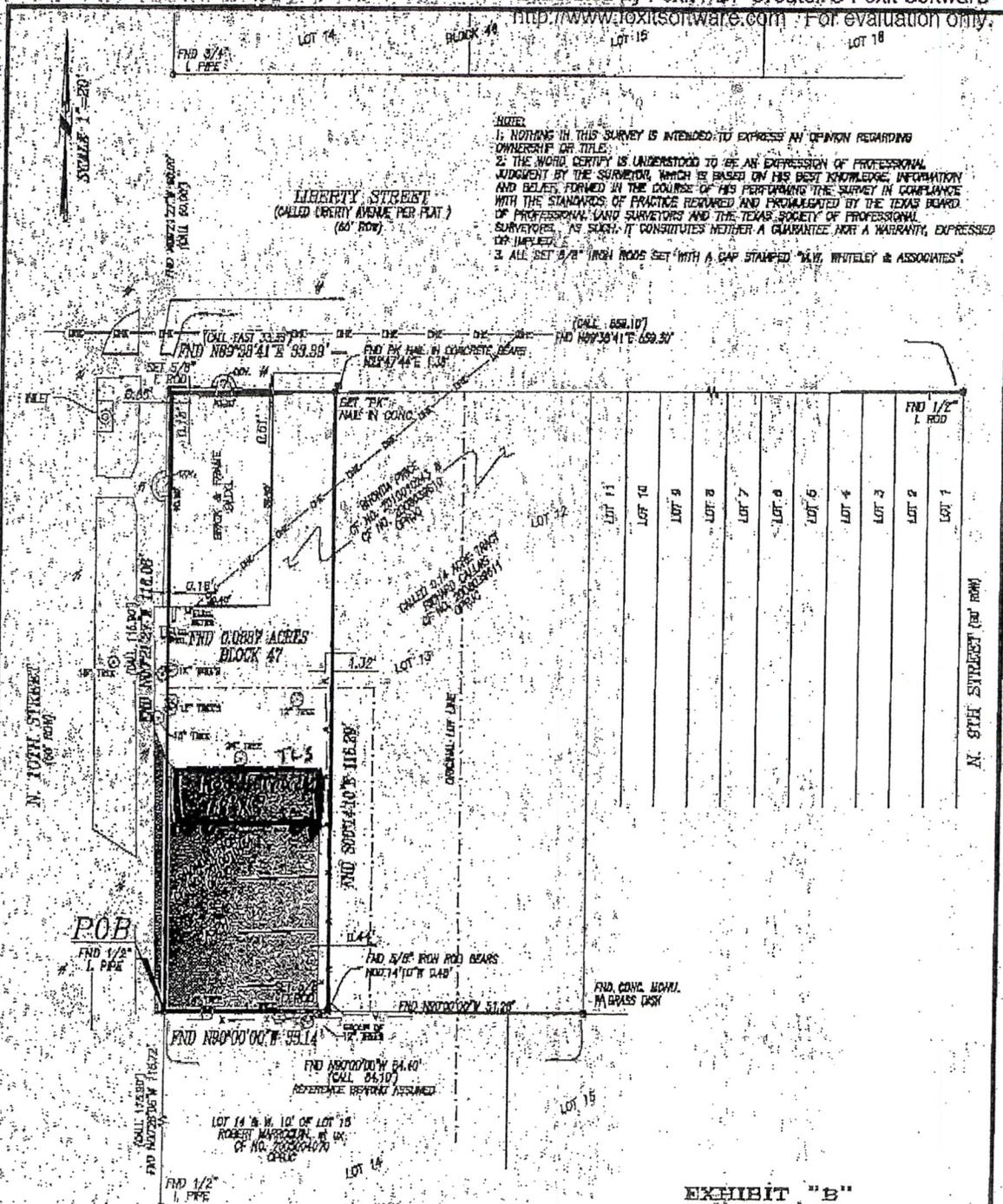


Legend

 2256P



EXHIBIT "A"



NOTES:
 1. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN OPINION REGARDING OWNERSHIP OR TITLE.
 2. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF FORMED IN THE COURSE OF HIS PERFORMING THE SURVEY IN COMPLIANCE WITH THE STANDARDS OF PRACTICE REQUIRED AND PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS AND THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS. AS SUCH, IT CONSTITUTES NEITHER A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.
 3. ALL SET 5/8" IRON RODS SET WITH A CAP STAMPED "M.W. WHITELEY & ASSOCIATES".

TO THE LEASOLDIERS AND THE OWNERS OF THE PREMISES SURVEYED AND TO THE OLD REFUND NATIONAL TITLE INSURANCE COMPANY,
 THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED, HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, ENCUMBRANCES IN AREA, BOUNDARY, LINE, COMPUTE, ENCROACHMENTS, OR LAPPING OF INTERESTS, EASEMENTS OR RIGHTS-OF-WAY EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED HIGHWAY, ALL EASEMENTS SHOWN AND NOTED PER TEXAS REGIONAL TITLE C.R. No. 13398-04

File 2256-P



DATE SURVEYED: MAY 26, 2011
 [Signature]

THOMAS S. ROWE - REGISTERED PROFESSIONAL LAND SURVEYOR No. 5728

MARK W. WHITELEY AND ASSOCIATES INCORPORATED
 200 EAST 11th STREET
 BEAUMONT, TEXAS 77705
 (409) 336-0001

P. O. BOX 6402
 BEAUMONT, TEXAS 77705-0402
 (409) 336-0001

EXHIBIT "B"
 REFER TO EXHIBIT "A"
 FOR LEGAL DESCRIPTION

220 N. 10TH STREET
 BEAUMONT, TEXAS 77702
 0.0887 Acre Tract or Parcel of Land
 Out of and Part of Lot 13, Block 47
 Aerial Addition
 Volume 1, Pages 131 & 132 Map Record
 North Title Survey, Abstract No. 32
 Beaumont, Jefferson County, Texas

Owner: James D. Ansh 600 Jim Austin Investments
 Consider: 12.00

In accordance with the Flood Hazard Boundary Map, Department of Housing and Urban Development,
 Community No. 485457
 Panel No. 0035 C
 Date of Print: 8-8-12
 This property lies in Zone "X" (white), located on map delineated by scale on map. Actual field elevation not determined. Mark W. Whiteley and Associates do not warrant nor subscribe to the accuracy or scale of said maps.

Zone "X" (white) are areas determined to be outside 500-year flood plain.
 © 2012 Mark W. Whiteley & Associates, Inc.
 This document, as an instrument of professional service in the practice of land surveying, is intended to be read in full in its original form and is not to be reproduced, copied or distributed in whole or part without the written authorization of Mark W. Whiteley & Associates, Inc.

EXHIBIT "B"

[Signature]

March 29, 2016

Consider a request for a Specific Use Permit to allow a cell tower in GC-MD (General Commercial-Multiple Family Dwelling District), just west of 1878 Washington Boulevard

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Planning & Community Development Director

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider a request for a Specific Use Permit to allow a cell tower in GC-MD (General Commercial-Multiple Family Dwelling District), just west of 1878 Washington Boulevard.

BACKGROUND

David Petrakovitz, agent for T. Mobile West, is requesting a Specific Use Permit to allow a cell tower on the Garden of Gethsemane Nursery property, located just west of 1878 Washington Boulevard. In December of 2015, Mr. Petrakovitz was awarded a variance from the minimum distance requirement from residential property. Mr. Petrakovitz states that the only available commercial properties near the 1800 block of Washington Boulevard are narrow, not allowing for the required buffer, and that the proposed tower will not exceed 100 feet in height, in order to minimize the visual impact on the neighborhood. Although the tower would be approximately 156 feet from the nearest residentially-zoned property, it would be over 226 feet from the nearest residence.

At a Joint Public Hearing held on March 21, 2016, the Planning Commission recommended 8:0 to approve a Specific Use to allow a cell tower in the GC-MD (General Commercial-Multiple Family Dwelling District), just west of 1878 Washington Boulevard.

FUNDING SOURCE

Not applicable.

RECOMMENDATIONS

Approval of the ordinance.

SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS
 (Chapter 28, City Codes)

TO: THE PLANNING COMMISSION AND CITY COUNCIL, CITY OF BEAUMONT, TEXAS

APPLICANT'S NAME: ~~_____~~ T-MOBILE WEST (David Petrakovtz/Agent)

APPLICANT'S ADDRESS: 3403 Sunlight Hill Lane, Spring, TX 77386

APPLICANT'S PHONE #: 281 722 0604 FAX #: _____

NAME OF OWNER: MICHAEL ALFRED

ADDRESS OF OWNER: 1877 Washington Blvd, Beaumont, TX 77705

LOCATION OF PROPERTY: 1880 Washington Blvd - 77705

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. (Avenue F) 122 OR TRACT _____

BLOCK NO. 2 PLAT _____

ADDITION Cartwright Addition SURVEY _____

NUMBER OF ACRES 0.69 acres NUMBER OF ACRES _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

PROPOSED USE: Cell Tower ZONE: GC-MD

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the top back side of this sheet.

ATTACH A REDUCED 8 1/2" X 11" PHOTOCOPY OF THE SITE PLAN.

THE EIGHT CONDITIONS listed on the back side of this sheet must be met before City Council can grant a specific use permit. **PLEASE ADDRESS EACH CONDITION IN DETAIL.**

ATTACH THE APPROPRIATE APPLICATION FEE:

LESS THAN 1/2 ACRE.....	\$250.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES.....	\$450.00
5 ACRES OR MORE.....	\$650.00

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by City Council.

SIGNATURE OF APPLICANT: [Signature] DATE: 2-9-16

SIGNATURE OF OWNER: [Signature] DATE: 1-25-16

PLEASE TYPE OR PRINT AND SUBMIT TO:

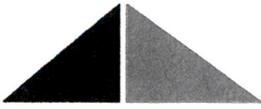
CITY OF BEAUMONT
 PLANNING DIVISION
 801 MAIN STREET, ROOM 201
 BEAUMONT, TX 77701

FILE NUMBER: _____

DATE RECEIVED: _____

Phone - (409) 880-3764
 Fax - (409) 880-3133

PLEASE MAKE NOTE ON REVERSE SIDE OF CONDITIONS TO BE MET REGARDING THE SITE PLAN AND LETTER OF PROPOSED USES AND ACTIVITIES.



PYRAMID NETWORK SERVICES, LLC.

TELECOMMUNICATIONS CONSTRUCTION SERVICES AND CONSULTING

3603 Sunlight Hill Lane
Spring, Texas
77386
281-701-0604

February 9, 2016

Planning Department
City of Beaumont
801 Main Street
Beaumont, Texas 77701

Pyramid Network Services acting as agent for T-Mobile West, LLC, 2 Greenway Plaza, Houston, Texas 77046 hereby requests a Specific Use Permit to erect a 150' cell tower at 1820 Washington Blvd, Beaumont 77705.

The proposed project would be built on 900 square feet of land under a long term lease from the Garden of Gethsemane Nursery & Landscaping Company (Mr. Micheal Alfred, Owner) per the attached site plan and survey. The tower would include antennas and radio equipment to initially accommodate T-Mobile but is designed to handle multi-carrier collocations. The site will be unmanned and as such will not require connections to the city water or sewer systems.

Upon approval of the Specific Use Permit a Building Permit will be applied for. The site will be designed and engineered to meet or exceed all Federal, State and local building and safety codes including wind loading requirements.

After the initial construction period it is anticipated that vehicular traffic to the site will average about one trip per month. Impact to local streets will therefore be negligible. Access to the site would actually be from Louisiana Avenue utilizing an existing curb cut and paved parking area.

The proposed location is within a "GC-MD" zoned district and is surrounded to the West by a railroad line and "LI" zoned district. To the South by "GC-MD" (along Washington Blvd) and to the North and East by "RM-H" district. As the nearest residential zoning district (RM-H) is less than 200 feet from the tower centerline T-Mobile requested and after a public hearing was held was granted by the City of Beaumont Board of Adjustments (File 691-BA) a decision on December 3, 2015 providing for a Waiver from the normally required setback distances. A copy of that Decision is included as a part of this Specific Use Permit application,

Attached to the Specific Use Application are: Response to the Eight SUP conditions, a city zoning map identifying the site location, an aerial map calling out the distance to the nearest residential zoned district, an aerial map calling out the required 200' notification area, a site plan and proposed tower elevation drawings, a legal Metes and Bounds description of the T-Mobile lease area, and an 8 1/2" x 11" copy of the proposed site plan.

Thank you,

Dave Petrakovitz
Project Manager
Pyramid Network Services
Agent for T-Mobile

SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS
T-Mobile 100' Cell Tower
1820 Washington Blvd

CONDITION 1: That the specific use will be compatible with and not injurious to the use and enjoyment of other property, not significantly diminish or impair property values within the immediate vicinity:

The granting of the requested variance would actually be in the public interest as the proposed cellular phone transmission site is designed and intended to provide enhanced phone communications to the surrounding neighborhood which has been historically underserved as regards cellular phone coverage as well as to provide better E-911 call service within the neighborhood and along the Washington Blvd corridor. The tower will be designed and constructed to meet or exceed all applicable building and safety code requirements. In an effort to stay within the intent of the City of Beaumont Tower ordinance, T-Mobile has situated the proposed tower as far from the nearest residential lot lines as possible within the constraints of the ordinance while also keeping the proposed tower as far off of the Washington Blvd right of way as possible. T-Mobile has lowered their preferred height for the tower from 150' to 100' to minimize visual impact to the neighborhood and proposes a monopole style tower rather than a multi-legged style tower which has been more commonly used in Beaumont

CONDITION 2: That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property:

There is one vacant lot located directly north of the parent parcel and over 150' from the tower center. Said lot is accessed by Avenue F north of the site. The proposed tower will have no impact upon access or future development of this lot.

CONDITION 3: That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided:

There are adequate utilities, access roads and drainage in place to support the proposed facility. The proposed facility will require one new 200 amp electric service. The proposed facility will create approximately one vehicle trip on the public right-of-way per month. The proposed facility will be design with all applicable building codes adhered to including drainage and storm water run-off requirements. The proposed facility will not require fresh or waste water connections (it is an unmanned facility).

CONDITION 4: The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development:

The proposed facility will utilize existing driveway and curb cuts and provide off street parking for use by service technicians.

CONDITION 5: That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration:

The proposed facility does not generate odors, fumes, dust, or vibrations. In the event of an emergency weather event the proposed facility may be operated for a short period of time by emergency back-up power generators. As the nearest residence is over 200 feet away and is buffered by intervening landscaping any sound generated by the emergency power system will be mitigated. Typical generator types used by wireless carriers have a sound rating of less than 72 dB at 25 feet.

CONDITION 6: That directional lighting will be provided so as not to disturb or adversely affect neighboring properties:

The proposed facility will have one 10' high pole mounted flood light designed to shine onto the ground mounted radio cabinets and is manually operated for short-term immediate use by a maintenance technician only. The tower itself is not lighted.

CONDITION 7: That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property:

Current use of the property is for the storage of landscape materials for the use of the owner's landscape business. The entire lot is surrounded by a screened fence. Any new or additional fencing required will adhere to the same style of screened security fence as is currently in place.

CONDITION 8: That the proposed use is in accordance with the Comprehensive Plan:

The proposed facility is designed to provide enhanced wireless high speed data and communication capabilities to the surrounding neighborhoods and highways as well as improved E911 coverage in the immediate vicinity.

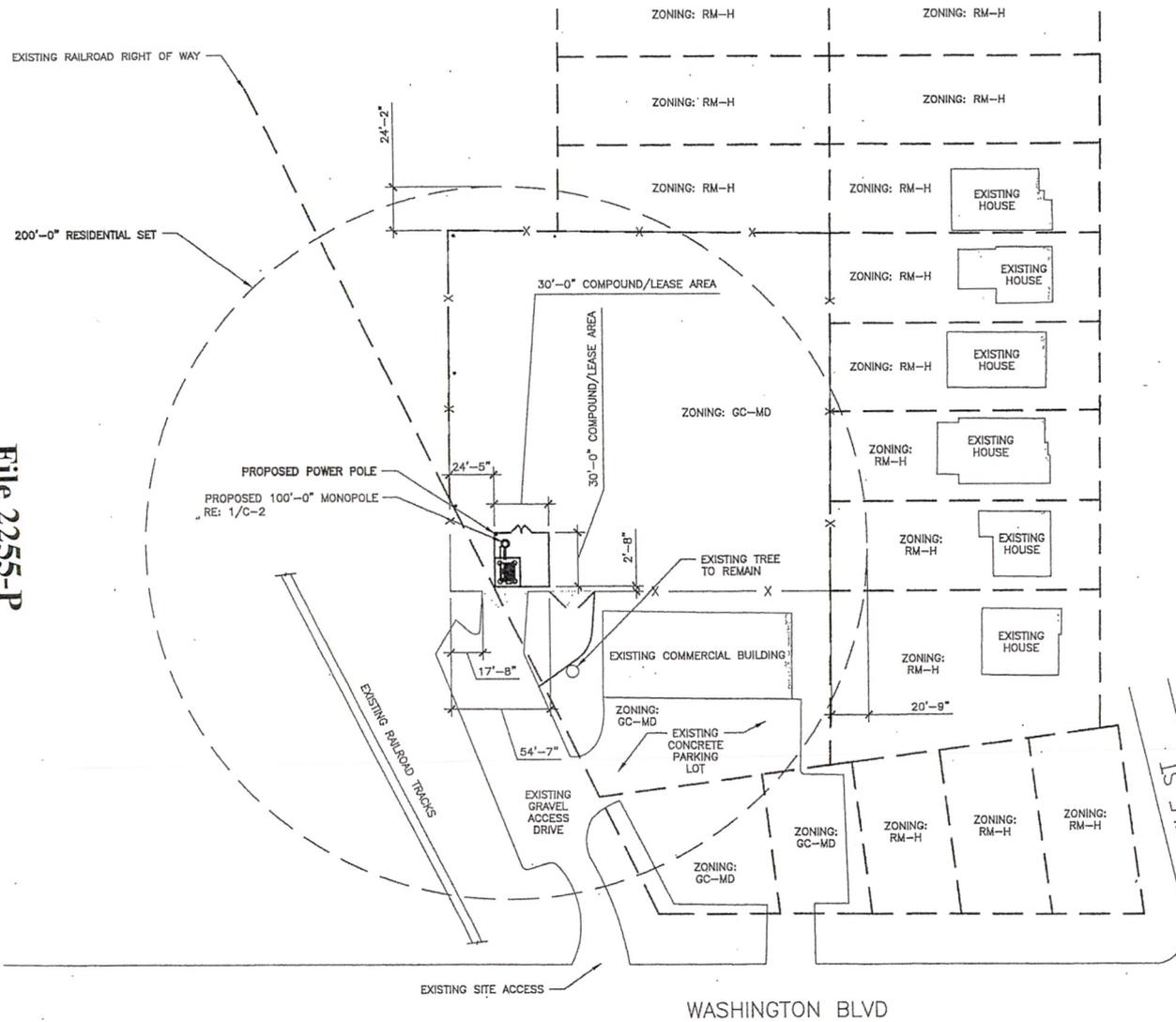
I HEREBY ATTEST THAT, TO THE BEST OF MY KNOWLEDGE, MY REQUEST MEETS THE CONDITIONS STATED ABOVE.

Applicant's signature:  Date: 2-9-16

Phone # 281-701-0604

Fax: 832-764-0559

File 2255-P



1 OVERALL SITE PLAN
SCALE: 1/64" = 1'-0"



T-Mobile

A3H0089
ALFRED
1820 WASHINGTON BLVD
BEAUMONT, TX 77705
PROPOSED MONOPOLE

PROJECT NO: 99443.001
CHECKED BY: MEH

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
A	8/31/15	RPS	PRELIMINARY REVIEW

B&T ENGINEERING, INC.
F-9883
Expires 12/31/15

**THIS DOCUMENT IS
PRELIMINARY IN
NATURE AND IS NOT
A FINAL, SIGNED
AND SEALED
DOCUMENT**

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER: C-1
REVISION: A

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A CELLULAR TOWER IN A GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT JUST WEST OF 1878 WASHINGTON BOULEVARD IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, David Petrakovitz, on behalf of T. Mobile West, has applied for a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District, just west of 1878 Washington Boulevard, being the SW ¼ of Block 2F, Cartwright Addition, Beaumont, Jefferson County, Texas, containing 0.980 acres, more or less as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District just west of 1878 Washington Boulevard; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a cellular tower in a GC-MD (General Commercial-Multiple Family Dwelling) District just west of 1878 Washington Boulevard as shown on Exhibit "A," is hereby granted to T. Mobile West, its legal representatives,

successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of March, 2016.

- Mayor Becky Ames -

File 2255-P: Consider a request for a Specific Use Permit to allow a cell tower in GC-MD (General Commercial-Multiple Family Dwelling District) zoning.

Applicant: T-Mobile West (David Petrakovitz/Agent)

Location: Approximately 150' west of 1878 Washington

N

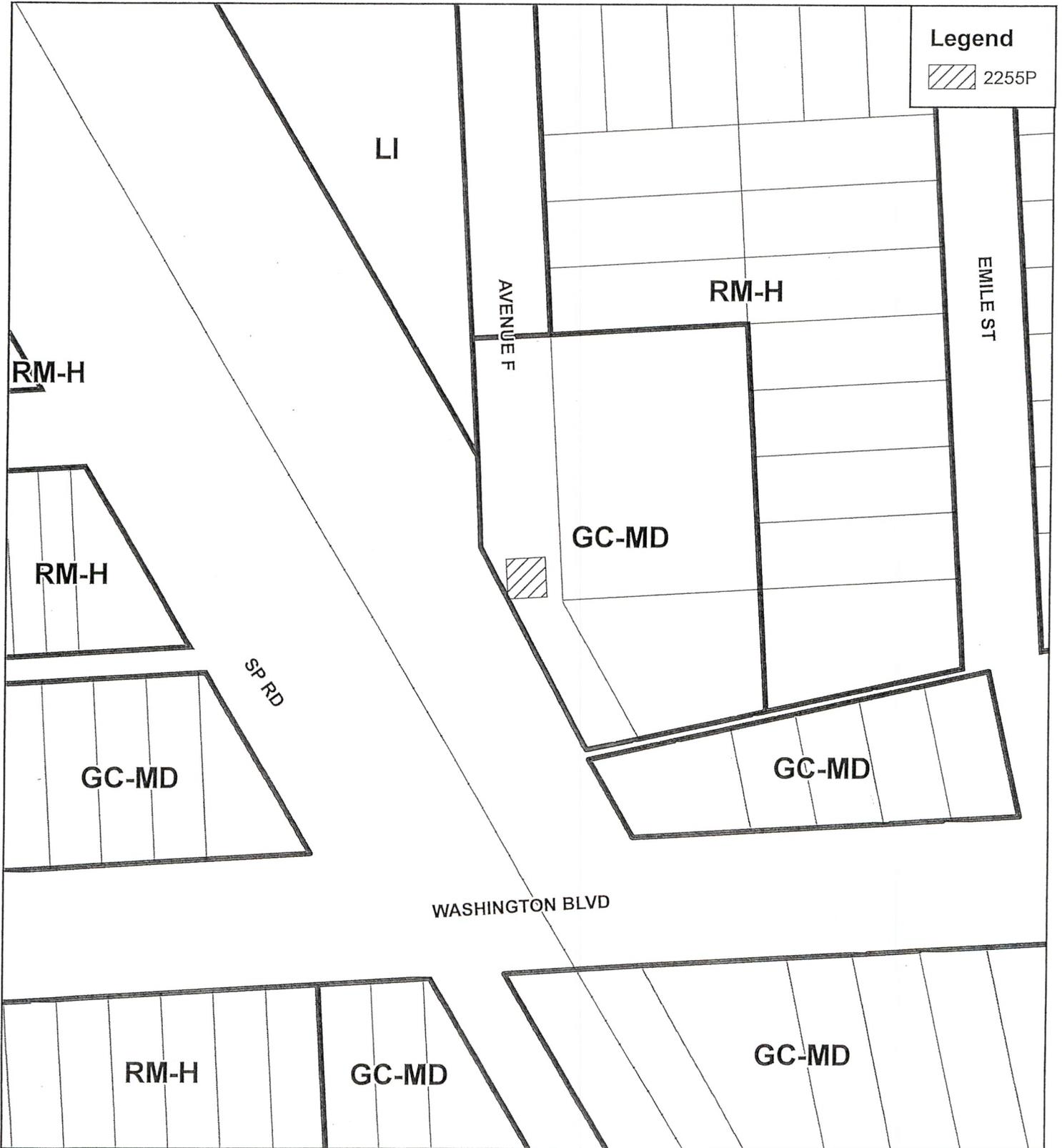
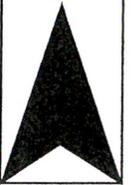
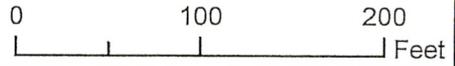
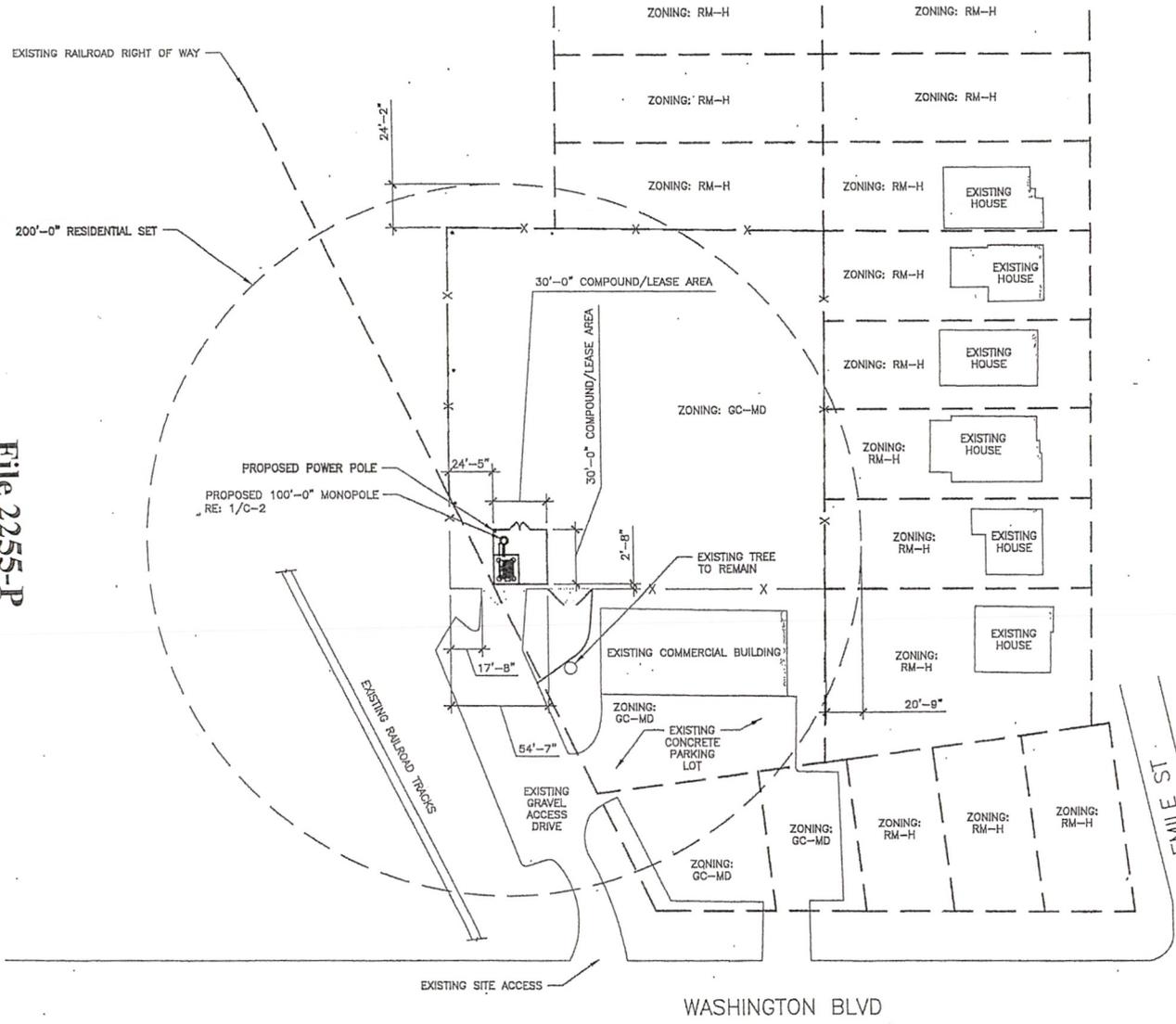


EXHIBIT "A"

File 2255-P



1 OVERALL SITE PLAN
SCALE: 1/64" = 1'-0"



T-Mobile

A3H0089
ALFRED
1820 WASHINGTON BLVD
BEAUMONT, TX 77705
MONOPOLE

EXHIBIT "B"

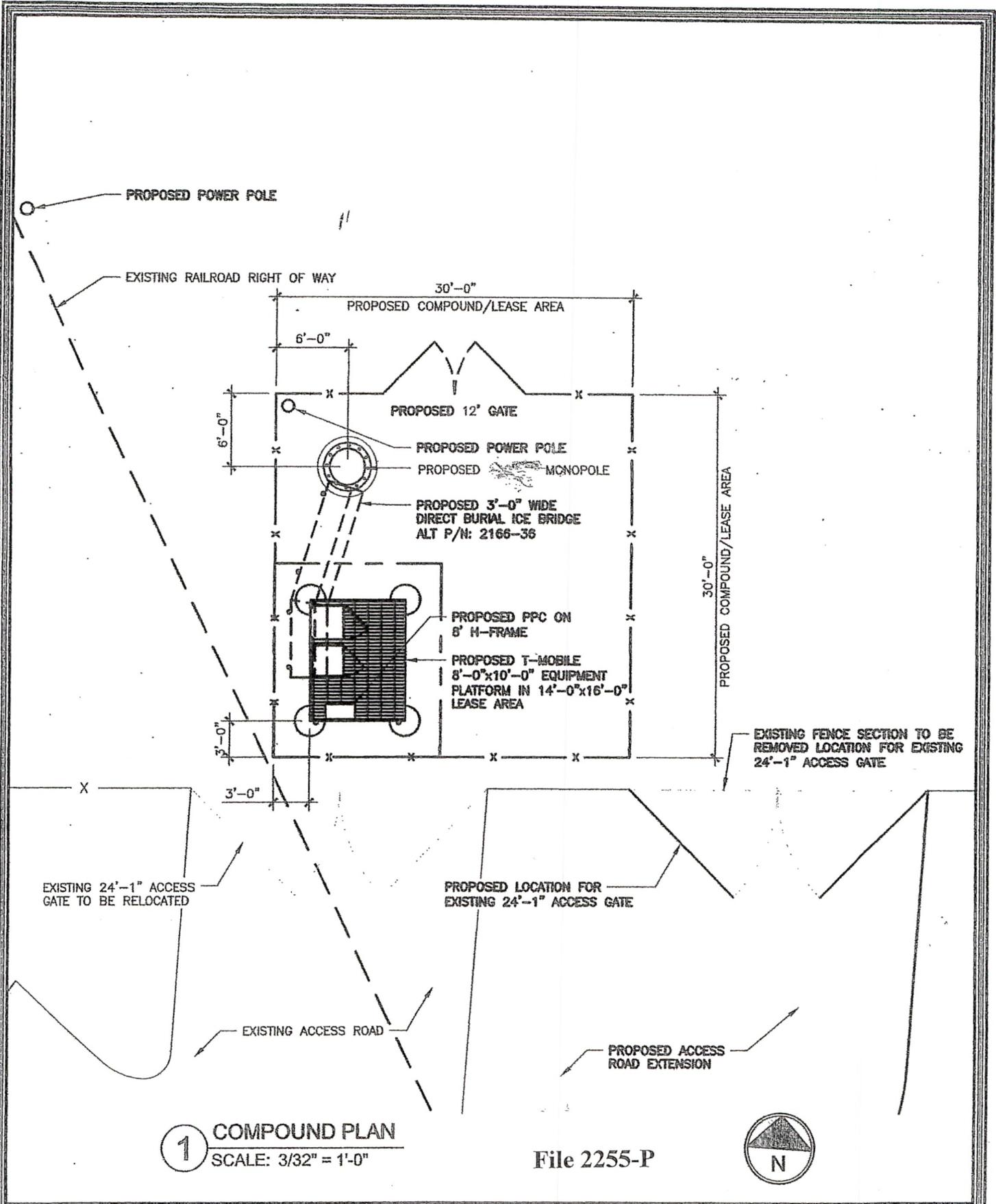
PROJECT NO:	99443.0		
CHECKED BY:	ME		
ISSUED FOR:			
REV	DATE	DRWN	DESCRIPTION
A	8/31/15	RPS	PRELIMINARY REV

B&T ENGINEERING, INC.
F-9883
Expires 12/31/15

**THIS DOCUMENT IS
PRELIMINARY IN
NATURE AND IS NOT
A FINAL, SIGNED
AND SEALED
DOCUMENT**

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER:	REVISION:
C-1	A



1 COMPOUND PLAN
SCALE: 3/32" = 1'-0"

File 2255-P




B+T GRP
1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.btgrp.com

T-Mobile

ALFRED
A3H0089

SHEET TITLE	
COMPOUND PLAN	
PROJECT NO:	99443.001
DRAWN BY:	DGJ
CHECKED BY:	MFH

11/11/2010 10:58:00 AM 2010/11/11 10:58:00 AM 2010/11/11 10:58:00 AM 2010/11/11 10:58:00 AM

March 29, 2016

Consider a request to abandon a portion of a 20' waterline easement to widen the Major Drive right-of-way and roadway



TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, ^{CB} Planning & Community Development Director

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider a request to abandon a portion of a 20' waterline easement, Beaumont, Jefferson County, Texas.

BACKGROUND

The State of Texas has acquired land for the purpose of widening the Major Drive right-of-way and roadway. The City of Beaumont has an existing 20' waterline easement, formerly located on private property, whis now left in the right-of-way and poses an obstacle to the proposed improvements. A new waterline easement has been created to accommodate the City utilities. A request has been made to abandon that portion of the original easement that is now located in the right-of-way.

At a Joint Public Hearing held on March 21, 2016, the Planning Commission recommended 8:0 to approve a request to abandon a portion of a 20' waterline easement.

FUNDING SOURCE

Not applicable.

RECOMMENDATIONS

Approval of the ordinance.

**APPLICATION FOR RIGHT-OF-WAY
OR UTILITY EASEMENT ABANDONMENT
CITY OF BEAUMONT, TEXAS**

THIS IS AN APPLICATION TO ABANDON A: RIGHT-OF-WAY (ROW), UTILITY EASEMENT (UE)
OR RIGHT-OF-WAY BUT RETAIN UTILITY EASEMENT.

NAME OF APPLICANT: COB Public Works PHONE: 880.3725 FAX: 880.3732

AUTHORITY OF APPLICANT: Owner of Easement

NAME OF OWNER: City of Beaumont

ADDRESS: 801 Main St. Bmt Tx 77701 PHONE: 880.3725 FAX: 880.3732

ALL OWNERS ABUTTING THE ROW OR UE MUST SIGN WRITTEN REQUEST.
(PLEASE ATTACH PROPERTY OWNER'S LIST TO THE APPLICATION)

DESCRIPTION OF ROW OR UE TO BE ABANDONED: _____

PRESENT USE OF ROW OR UE (LIST UTILITIES IF PRESENT) Waterline

ATTACH A LETTER STATING THE REASONS FOR THE ABANDONMENT.

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. _____ OR TRACT _____

BLOCK NO. _____ PLAT _____

ADDITION _____ SURVEY _____

ATTACH A MAP OR PLAT DELINEATING THE PUBLIC ROW OR UE TO BE ABANDONED AND THE LEGAL DESCRIPTION OF ADJACENT PROPERTY (DIMENSIONED AND TO ENGINEERING SCALE).

ATTACH THE \$300.00 **APPLICATION FEE**, THE ACTUAL COST OF NECESSARY APPRAISALS AND TITLE COMMITMENTS. IF PROPERTY IS ABANDONED, APPRAISED VALUE OF THE FEE INTEREST IN THE PROPERTY SHALL BE CHARGED.

TO THE BEST OF MY KNOWLEDGE, THE ABOVE INFORMATION IS TRUE AND CORRECT.

SIGNATURE OF APPLICANT: Joseph Myrdal DATE: 2/26/16

PLEASE TYPE OR PRINT AND SUBMIT TO:

PLANNING DIVISION, ROOM 205
CITY HALL, 801 MAIN STREET
BEAUMONT, TX 77701
P.O. BOX 3827 77704
(409) 880-3764 FAX (409) 880-3133

FILE NUMBER: 865
DATE RECEIVED: _____
RECEIPT NUMBER: _____

DESCRIPTION OF
A 0.259 ACRE TRACT OF LAND
IN THE
SAMUEL STIVERS SURVEY, ABSTRACT NO. 51
JEFFERSON COUNTY, TEXAS

All that certain tract of land lying and being situated in Jefferson County, Texas, part of the SAMUEL STIVERS SURVEY, ABSTRACT NO. 51, and being a part of that certain tract of land herein referred to as the "1.148 acre" tract, which said 1.148 acre tract is described in that certain instrument from Mickey Phelan B Land L.P. to the State of Texas, acting by and through the Texas Transportation Commission, and recorded in County Clerks File No. 2002006640 of the Official Public Records of Jefferson County, Texas and also being a part of that certain 5.124 acre tract of land herein referred to as the "5.124 acre" tract, which said 5.124 acre tract is described in that certain instrument, describing a twenty foot wide easement, from J.H. Phelan, et al to the City of Beaumont and recorded in Volume 1900, Page 227 of the Deed Records of Jefferson County, Texas with the said herein described tract being more particularly described as follows:

BEGINNING at a Texas Highway Department Type II right of way monument found at the intersection of existing East right of way line of F.M. Highway 364 and the northwesterly right of way line of Interstate Highway 10 and being in the southwesterly line of said 5.124 acre tract and being the South corner of said 1.148 acre tract;

THENCE in a northwesterly direction with the southwesterly line of said 1.148 acre tract, being the former northwesterly right of way line of Interstate Highway 10, and the southwesterly line of the said 5.124 acre tract along a curve with a central angle of $26^{\circ}43'34''$ to the right, with a radius of 485.87 feet for a distance of 226.64 feet to an iron rod found at the intersection with the former East right of way line of F.M. Highway 364 and being the southwest corner of said 1.148 acre tract, the chord for said curve being North $32^{\circ}41'01''$ West and 224.59 feet in length;

THENCE North $02^{\circ}35'53''$ West along and with the said former East right of way line of said F.M. Highway 364, being the West line of said 1.148 acre tract and the west line of said 5.124 acre tract for a distance of 335.17 feet to a iron rod found for an angle point;

THENCE North $02^{\circ}40'38''$ West continuing with said former East right of way line of F.M. Highway 364, being the West line of said 1.148 acre tract and the west line of said 5.124 acre tract for a distance of 254.57 feet to a Texas Highway Department Type II right of way monument found for the North corner of said 1.148 acre tract and the North corner of the herein described tract;

THENCE in a southeasterly direction along and with the existing southwest right of way line of F.M. 365 being the East line of said 1.148 acre tract and being in a curve to the left with a central angle of $06^{\circ}53'28''$ and a radius of 2789.79 feet, for an arc distance of 335.53 feet to a point for corner at the intersection with the east line of said 5.124 acre tract, the chord of said curve being South $06^{\circ}04'39''$ East and 335.32 feet in distance;

THENCE South $02^{\circ}35'53''$ East along and with the East line of said 5.124 acre tract, being 20 feet perpendicular distance East from said former East right of way line of F.M. Highway 365, being the West line of said 1.148 acre tract, for a distance of 252.07 feet to a point of curvature of a non-tangent curve with a central angle of $21^{\circ}12'24''$ to the right, with a radius of 465.87 feet;

THENCE along and with said curve to the left, and being 20 feet parallel northeastward from the said southwesterly line of said 1.148 acre tract and being the northeasterly line of said 5.124 acre tract, for an arc distance of 172.43 feet, the chord for said curve being South $30^{\circ}16'54''$ East and 171.45 feet in length to a point in the East line of said 1.148 acre tract;

THENCE along and with the East line of the said 1.148 acre tract and being in a non-tangent curve with a central angle of $00^{\circ}58'16''$ to the right, with a radius of 2789.79 feet, an arc distance of 47.29 feet and a chord distance of 47.28 feet which bears South $18^{\circ}28'16''$ East back to the Point of Beginning and containing 0.259 acres of land.

PATRICK HENRY PHELAN AND
MICHAEL ARTHUR PHELAN TRUSTEES
631.00 ACRE TRACT
VOL: 2163, PG. 107

FM 364 (MAJOR DRIVE)

TxDOT R.O.W.
(EXIST.)

TxDOT R.O.W. (FORMER)

CITY OF BEAUMONT EASEMENT
VOL. 1900, PG. 227 D.R. of J.C. Tx.

CITY OF BEAUMONT
20' EASEMENT 5.124 AC.

0.259 ACRES

1.148 AC.
STATE OF TEXAS
Co. CLERK FILE No. 2002006540

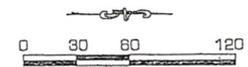
EXISTING 20' EASEMENT
(5.124 AC. EASEMENT)

P.O.B.
0.259 ACRES

TxDOT IH-10 R.O.W. (EXIST.)
CITY OF BEAUMONT EASEMENT 5.124 AC.
VOL. 1900, PG. 227 D.R. of J.C. Tx.

PATRICK HENRY PHELAN AND
MICHAEL ARTHUR PHELAN
228.67 ACRE TRACT
FILE NO. 100-28-1987

PLAT
of
0.259 ACRE TRACT
IN THE
S. STIVERS SURVEY,
ABSTRACT No. 51
BEAUMONT, JEFFERSON COUNTY,
TEXAS



SCHAUMBURG & POLK, INC.
BEAUMONT • HOUSTON • TULSA
FURNISHING SURVEYING & RECORDING
8003 College Street, Beaumont, Texas 77705
409.828.0241 F. 409.828.0237 F.
© Copyright 1993

LINE TABLE		
No.	BEARING	DIST.
L1	N 02°35'53" W	335.17'
L2	N 02°40'38" W	254.57'
L3	S 02°35'53" E	252.07'

CURVE TABLE	
No.	CURVE DATA
C1	Δ = 26°43'34" R = 485.87' L = 226.64' CHORD = N 32°41'01" W 224.59'
C2	Δ = 06°53'28" R = 2789.79' L = 335.53' CHORD = S 06°04'39" E 335.32'
C3	Δ = 21°12'24" R = 465.87' L = 172.43' CHORD = S 30°16'54" E 171.45'
C4	Δ = 00°58'16" R = 2789.79' L = 47.29' CHORD = S 18°28'16" E 47.28'

LEGEND

- TxDOT MONUMENT
- IRON ROD

File 865-OB

ORDINANCE NO.

ENTITLED AN ORDINANCE VACATING AND
ABANDONING A 20' WATERLINE EASEMENT, CITY
OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, the City of Beaumont Public Works Department has requested the abandonment of a 20' waterline easement, City of Beaumont, Jefferson County, Texas, as described in Exhibit "A" and shown on Exhibit "B," attached hereto; and,

WHEREAS, the City Council has considered the purpose of said abandonment and is of the opinion that the dedicated waterline easement is no longer necessary for municipal street purposes and the abandonment of said dedicated waterline easement is in the best interest of the City and should be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT a 20' waterline easement, City of Beaumont, Jefferson County, Texas, as described in Exhibit "A" and shown on Exhibit "B," attached hereto, be and the same is hereby vacated and abandoned and that title to such property shall revert to and become the property of the persons entitled thereto by law.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of March, 2016.

- Mayor Becky Ames -

LEGAL DESCRIPTION FOR ORDINANCE PURPOSES

All that certain tract of land lying and being situated in Jefferson County, Texas, part of the SAMUEL STIVERS SURVEY, ABSTRACT NO. 51, and being a part of that certain tract of land herein referred to as the "1.148 acre" tract, which said 1.148 acre tract is described in that certain instrument from Mickey Phelan B Land L.P. to the State of Texas, acting by and through the Texas Transportation Commission, and recorded in County Clerks File No. 2002006640 of the Official Public Records of Jefferson County, Texas and also being a part of that certain 5.124 acre tract of land herein referred to as the "5.124 acre" tract, which said 5.124 acre tract is described in that certain instrument, describing a twenty foot wide easement, from J.H. Phelan, et al to the City of Beaumont and recorded in Volume 1900, Page 227 of the Deed Records of Jefferson County, Texas with the said herein described tract being more particularly described as follows:

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CITY OF BEAUMONT
20' EASEMENT 5.124 AC.
VOL. 1900, PG. 227 D.R. of J.C. Tx.

EXISTING 20' EASEMENT
(5.124 AC. EASEMENT)

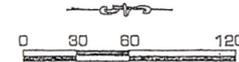
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PATRICK HENRY PHELAN AND
MICHAEL ARTHUR PHELAN
228.67 ACRE TRACT
FILE NO. 100-28-1987

PLAT
of
0.259 ACRE TRACT
IN THE
S. STIVERS SURVEY,
ABSTRACT No. 51
BEAUMONT, JEFFERSON COUNTY,
TEXAS



SEIP'S SCHAUMBURG & POLK, INC.
BEAUMONT • HOUSTON • TYLER
Firm Registration # F0022026
2815 College Street, Beaumont, Texas 77702
409.852.0541 P. 409.852.0377
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File 865-OB

LEGEND

- ⊙ TxDOT MONUMENT
- IRON ROD

EXHIBIT "B"

TxDOT IH-10 R.O.W. (EXIST.)
CITY OF BEAUMONT EASEMENT 5.124 AC.
VOL. 1900 PG. 227 D.R. of J.C. Tx.

TxDOT R.O.W. (FORMER)

1.148 AC.
STATE of TEXAS
Co. CLERK FILE No. 2002006840
TxDOT R.O.W. (EXIST.)

0.259 ACRES

CITY OF BEAUMONT
20' EASEMENT 5.124 AC.

March 29, 2016

Consider amending Chapter 6 of the Business Regulations Ordinance; specifically Section 6.03.034-Alcoholic Beverage



TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Tyrone E. Cooper, City Attorney

MEETING DATE: March 29, 2016

REQUESTED ACTION: Council consider amending Chapter 6 of the Business Regulations Ordinance; specifically; Section 6.03.034 –Alcoholic Beverage.

BACKGROUND

The City amended its Alcoholic Beverage ordinance in 2014 to improve efficiency and enforcement. One of the new additions to the ordinance included a late fee provision for renewal applications received after the existing permit expired. The Texas Alcoholic Beverage Commission has determined that a late fee is not permissible.

The change to the ordinance would allow for compliance with state law.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of ordinance.

Sec. 6.03.034 Renewal

(a) An application for renewal must be submitted thirty (30) days before the expiration date of the existing permit to the city manager on a form provided by the city for such purpose.

(b) The renewal application must be submitted with the prescribed fee not to exceed one-half the state fee.

~~(c) Applications submitted after the expiration date of the previous permit will be assessed a fifty dollar (\$50.00) penalty.~~

ORDINANCE NO.

ENTITLED AN ORDINANCE AMENDING CHAPTER 6, SECTIONS 6.03.034 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, BY REPEALING SUBSECTION 6.03.034(c) ELIMINATING THE FIFTY DOLLAR (\$50) LATE FEE PROVISION FOR RENEWAL OF ALCOHOL PERMIT APPLICATIONS RECEIVED AFTER EXPIRATION OF THE EXISTING PERMIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING A PENALTY.

BE IT ORDAINED BY THE CITY OF BEAUMONT:

Section 1.

THAT Chapter 6, Section 6.03.034 of the Code of Ordinances be and the same is hereby amended by repealing Subsection 6.03.034(c).

Section 2.

That if any section, subsection, sentence, clause or phrase of this ordinance, or the application of same to a particular set of persons or circumstances, should for any reason be held to be invalid, such invalidity shall not affect the remaining portions of this ordinance, and to such end, the various portions and provisions of this ordinance are declared to be severable.

Section 3.

That all ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 4.

That any person who violates any provision of this ordinance shall, upon conviction, be punished, as provided in Section 1.01.009 of the Code or Ordinance of Beaumont, Texas.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 29th day of
March, 2016.

- Mayor Becky Ames -